

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Sections 8-110, 8-113, 8-120, 8-137, 8-138, 8-150.1,
6 8-158, 8-161, 8-168, 8-171, 8-230.7, 9-121.15, 9-134,
7 9-134.3, 9-163, 9-179.3, 9-185, 9-186, 9-187, 9-219, 11-134,
8 11-134.1, 11-145.1, 11-153, 11-156, 11-164, 11-167, and
9 14-105.7 and adding Sections 8-230.9, 8-230.10, 9-121.14,
10 9-121.16, and 9-134.4 as follows:

11 (40 ILCS 5/8-110) (from Ch. 108 1/2, par. 8-110)

12 Sec. 8-110. Employer. "Employer":

13 (1) a city of more than 500,000 inhabitants;

14 (2) er the Board of Education of the such city, with
15 respect to any of its employees who participate in this Fund;

16 (3) the Chicago Housing Authority, with respect to any
17 of its employees who participate in this Fund subject to the
18 provisions of Section 8-230.9;

19 (4) the Public Building Commission of the city, with
20 respect to any of its employees who participate in this Fund;
21 and

22 (5) to--which--this--Article--applies,--or the Retirement
23 Board.

24 (Source: Laws 1968, p. 181.)

25 (40 ILCS 5/8-113) (from Ch. 108 1/2, par. 8-113)

26 Sec. 8-113. Municipal employee, employee, contributor,
27 or participant. "Municipal employee", "employee",
28 "contributor", or "participant":

29 (a) Any employee of an employer employed in the
30 classified civil service thereof other than by temporary

1 appointment or in a position excluded or exempt from the
2 classified service by the Civil Service Act, or in the case
3 of a city operating under a personnel ordinance, any employee
4 of an employer employed in the classified or career service
5 under the provisions of a personnel ordinance, other than in
6 a provisional or exempt position as specified in such
7 ordinance or in rules and regulations formulated thereunder.

8 (b) Any employee in the service of an employer before
9 the Civil Service Act came in effect for the employer.

10 (c) Any person employed by the board.

11 (d) Any person employed after December 31, 1949, but
12 prior to January 1, 1984, in the service of the employer by
13 temporary appointment or in a position exempt from the
14 classified service as set forth in the Civil Service Act, or
15 in a provisional or exempt position as specified in the
16 personnel ordinance, who meets the following qualifications:

17 (1) has rendered service during not less than 12
18 calendar months to an employer as an employee, officer, or
19 official, 4 months of which must have been consecutive full
20 normal working months of service rendered immediately prior
21 to filing application to be included; and

22 (2) files written application with the board, while in
23 the service, to be included hereunder.

24 (e) After December 31, 1949, any alderman or other
25 officer or official of the employer, who files, while in
26 office, written application with the board to be included
27 hereunder.

28 (f) Beginning January 1, 1984, any person employed by an
29 employer other than the Chicago Housing Authority or the
30 Public Building Commission of the city, whether or not such
31 person is serving by temporary appointment or in a position
32 exempt from the classified service as set forth in the Civil
33 Service Act, or in a provisional or exempt position as
34 specified in the personnel ordinance, provided that such

1 person is neither (1) an alderman or other officer or
2 official of the employer, nor (2) participating, on the basis
3 of such employment, in any other pension fund or retirement
4 system established under this Act.

5 (g) After December 31, 1959, any person employed in the
6 law department of the city, or municipal court or Board of
7 Election Commissioners of the city, who was a contributor and
8 participant, on December 31, 1959, in the annuity and benefit
9 fund in operation in the city on said date, by virtue of the
10 Court and Law Department Employees' Annuity Act or the Board
11 of Election Commissioners Employees' Annuity Act.

12 After December 31, 1959, the foregoing definition
13 includes any other person employed or to be employed in the
14 law department, or municipal court (other than as a judge),
15 or Board of Election Commissioners (if his salary is provided
16 by appropriation of the city council of the city and his
17 salary paid by the city) -- subject, however, in the case of
18 such persons not participants on December 31, 1959, to
19 compliance with the same qualifications and restrictions
20 otherwise set forth in this Section and made generally
21 applicable to employees or officers of the city concerning
22 eligibility for participation or membership.

23 (h) After December 31, 1965, any person employed in the
24 public library of the city -- and any other person -- who was
25 a contributor and participant, on December 31, 1965, in the
26 pension fund in operation in the city on said date, by virtue
27 of the Public Library Employees' Pension Act.

28 (i) After December 31, 1968, any person employed in the
29 house of correction of the city, who was a contributor and
30 participant, on December 31, 1968, in the pension fund in
31 operation in the city on said date, by virtue of the House of
32 Correction Employees' Pension Act.

33 (j) Any person employed full-time on or after the
34 effective date of this amendatory Act of the 92nd General

1 Assembly by the Chicago Housing Authority who has elected to
2 participate in this Fund as provided in subsection (a) of
3 Section 8-230.9.

4 (k) Any person employed full-time by the Public Building
5 Commission of the city who has elected to participate in this
6 Fund as provided in subsection (d) of Section 8-230.7.

7 (Source: P.A. 83-802.)

8 (40 ILCS 5/8-120) (from Ch. 108 1/2, par. 8-120)
9 Sec. 8-120. Child or children. "Child" or "children":
10 The natural child or children, or any child or children
11 legally adopted by an employee at least one year prior to the
12 date any benefit for the child or children accrues, ~~and so~~
13 ~~adopted prior to the date the employee attained age 55.~~

14 (Source: P.A. 84-1028.)

15 (40 ILCS 5/8-137) (from Ch. 108 1/2, par. 8-137)
16 Sec. 8-137. Automatic increase in annuity.

17 (a) An employee who retired or retires from service
18 after December 31, 1959 and before January 1, 1987, having
19 attained age 60 or more, shall, in January of the year after
20 the year in which the first anniversary of retirement occurs,
21 have the amount of his then fixed and payable monthly annuity
22 increased by 1 1/2%, and such first fixed annuity as granted
23 at retirement increased by a further 1 1/2% in January of
24 each year thereafter. Beginning with January of the year
25 1972, such increases shall be at the rate of 2% in lieu of
26 the aforesaid specified 1 1/2%, and beginning with January of
27 the year 1984 such increases shall be at the rate of 3%.
28 Beginning in January of 1999, such increases shall be at the
29 rate of 3% of the currently payable monthly annuity,
30 including any increases previously granted under this
31 Article. An employee who retires on annuity after December
32 31, 1959 and before January 1, 1987, but before age 60, shall

1 receive such increases beginning in January of the year after
2 the year in which he attains age 60.

3 An employee who retires from service on or after January
4 1, 1987 shall, upon the first annuity payment date following
5 the first anniversary of the date of retirement, or upon the
6 first annuity payment date following attainment of age 60,
7 whichever occurs later, have his then fixed and payable
8 monthly annuity increased by 3%, and such annuity shall be
9 increased by an additional 3% of the original fixed annuity
10 on the same date each year thereafter. Beginning in January
11 of 1999, such increases shall be at the rate of 3% of the
12 currently payable monthly annuity, including any increases
13 previously granted under this Article.

14 (a-5) Notwithstanding the provisions of subsection (a),
15 upon the first annuity payment date following (1) the third
16 anniversary of retirement, (2) the attainment of age 53, or
17 (3) the date 60 days after the effective date of this
18 amendatory Act of the 92nd General Assembly, whichever occurs
19 latest, the monthly pension of an employee who retires on
20 annuity prior to the attainment of age 60 who has not
21 received an increase under subsection (a) shall be increased
22 by 3%, and such annuity shall be increased by an additional
23 3% of the current payable monthly annuity, including such
24 increases previously granted under this Article, on the same
25 date each year thereafter. The increases provided under this
26 subsection are in lieu of the increases provided in
27 subsection (a).

28 (b) Subsections (a) and (a-5) are The---foregoing
29 ~~provisien--is~~ not applicable to an employee retiring and
30 receiving a term annuity, as herein defined, nor to any
31 otherwise qualified employee who retires before he makes
32 employee contributions (at the 1/2 of 1% rate as provided in
33 this Act) for this additional annuity for not less than the
34 equivalent of one full year. Such employee, however, shall

1 make arrangement to pay to the fund a balance of such 1/2 of
2 1% contributions, based on his final salary, as will bring
3 such 1/2 of 1% contributions, computed without interest, to
4 the equivalent of or completion of one year's contributions.

5 Beginning with January, 1960, each employee shall
6 contribute by means of salary deductions 1/2 of 1% of each
7 salary payment, concurrently with and in addition to the
8 employee contributions otherwise made for annuity purposes.

9 Each such additional contribution shall be credited to an
10 account in the prior service annuity reserve, to be used,
11 together with city contributions, to defray the cost of the
12 specified annuity increments. Any balance in such account at
13 the beginning of each calendar year shall be credited with
14 interest at the rate of 3% per annum.

15 Such additional employee contributions are not
16 refundable, except to an employee who withdraws and applies
17 for refund under this Article, and in cases where a term
18 annuity becomes payable. In such cases his contributions
19 shall be refunded, without interest, and charged to such
20 account in the prior service annuity reserve.

21 (Source: P.A. 90-766, eff. 8-14-98.)

22 (40 ILCS 5/8-138) (from Ch. 108 1/2, par. 8-138)

23 Sec. 8-138. Minimum annuities - Additional provisions.

24 (a) An employee who withdraws after age 65 or more with
25 at least 20 years of service, for whom the amount of age and
26 service and prior service annuity combined is less than the
27 amount stated in this Section, shall from the date of
28 withdrawal, instead of all annuities otherwise provided, be
29 entitled to receive an annuity for life of \$150 a year, plus
30 1 1/2% for each year of service, to and including 20 years,
31 and 1 2/3% for each year of service over 20 years, of his
32 highest average annual salary for any 4 consecutive years
33 within the last 10 years of service immediately preceding the

1 date of withdrawal.

2 An employee who withdraws after 20 or more years of
3 service, before age 65, shall be entitled to such annuity, to
4 begin not earlier than upon attained age of 55 years if under
5 such age at withdrawal, reduced by 2% for each full year or
6 fractional part thereof that his attained age is less than
7 65, plus an additional 2% reduction for each full year or
8 fractional part thereof that his attained age when annuity is
9 to begin is less than 60 so that the total reduction at age
10 55 shall be 30%.

11 (b) An employee who withdraws after July 1, 1957, at age
12 60 or over, with 20 or more years of service, for whom the
13 age and service and prior service annuity combined, is less
14 than the amount stated in this paragraph, shall, from the
15 date of withdrawal, instead of such annuities, be entitled to
16 receive an annuity for life equal to $1 \frac{2}{3}\%$ for each year of
17 service, of the highest average annual salary for any 5
18 consecutive years within the last 10 years of service
19 immediately preceding the date of withdrawal; provided, that
20 in the case of any employee who withdraws on or after July 1,
21 1971, such employee age 60 or over with 20 or more years of
22 service, shall receive an annuity for life equal to 1.67% for
23 each of the first 10 years of service; 1.90% for each of the
24 next 10 years of service; 2.10% for each year of service in
25 excess of 20 but not exceeding 30; and 2.30% for each year of
26 service in excess of 30, based on the highest average annual
27 salary for any 4 consecutive years within the last 10 years
28 of service immediately preceding the date of withdrawal.

29 An employee who withdraws after July 1, 1957 and before
30 January 1, 1988, with 20 or more years of service, before age
31 60 years is entitled to annuity, to begin not earlier than
32 upon attained age of 55 years, if under such age at
33 withdrawal, as computed in the last preceding paragraph,
34 reduced 0.25% for each full month or fractional part thereof

1 that his attained age when annuity is to begin is less than
2 60 if the employee was born before January 1, 1936, or 0.5%
3 for each such month if the employee was born on or after
4 January 1, 1936.

5 Any employee born before January 1, 1936, who withdraws
6 with 20 or more years of service, and any employee with 20 or
7 more years of service who withdraws on or after January 1,
8 1988, may elect to receive, in lieu of any other employee
9 annuity provided in this Section, an annuity for life equal
10 to 1.80% for each of the first 10 years of service, 2.00% for
11 each of the next 10 years of service, 2.20% for each year of
12 service in excess of 20 but not exceeding 30, and 2.40% for
13 each year of service in excess of 30, of the highest average
14 annual salary for any 4 consecutive years within the last 10
15 years of service immediately preceding the date of
16 withdrawal, to begin not earlier than upon attained age of 55
17 years, if under such age at withdrawal, reduced 0.25% for
18 each full month or fractional part thereof that his attained
19 age when annuity is to begin is less than 60; except that an
20 employee retiring on or after January 1, 1988, at age 55 or
21 over but less than age 60, having at least 35 years of
22 service, or an employee retiring on or after July 1, 1990, at
23 age 55 or over but less than age 60, having at least 30 years
24 of service, or an employee retiring on or after the effective
25 date of this amendatory Act of 1997, at age 55 or over but
26 less than age 60, having at least 25 years of service, shall
27 not be subject to the reduction in retirement annuity because
28 of retirement below age 60.

29 However, in the case of an employee who retired on or
30 after January 1, 1985 but before January 1, 1988, at age 55
31 or older and with at least 35 years of service, and who was
32 subject under this subsection (b) to the reduction in
33 retirement annuity because of retirement below age 60, that
34 reduction shall cease to be effective January 1, 1991, and

1 the retirement annuity shall be recalculated accordingly.

2 Any employee who withdraws on or after July 1, 1990, with
3 20 or more years of service, may elect to receive, in lieu of
4 any other employee annuity provided in this Section, an
5 annuity for life equal to 2.20% for each year of service if
6 withdrawal is before 60 days after the effective date of this
7 amendatory Act of the 92nd General Assembly, or 2.40% for
8 each year of service if withdrawal is 60 days after the
9 effective date of this amendatory Act of the 92nd General
10 Assembly or later, of the highest average annual salary for
11 any 4 consecutive years within the last 10 years of service
12 immediately preceding the date of withdrawal, to begin not
13 earlier than upon attained age of 55 years, if under such age
14 at withdrawal, reduced 0.25% for each full month or
15 fractional part thereof that his attained age when annuity is
16 to begin is less than 60; except that an employee retiring at
17 age 55 or over but less than age 60, having at least 30 years
18 of service, shall not be subject to the reduction in
19 retirement annuity because of retirement below age 60.

20 Any employee who withdraws on or after the effective date
21 of this amendatory Act of 1997 with 20 or more years of
22 service may elect to receive, in lieu of any other employee
23 annuity provided in this Section, an annuity for life equal
24 to 2.20%⁷ for each year of service, if withdrawal is before
25 60 days after the effective date of this amendatory Act of
26 the 92nd General Assembly, or 2.40% for each year of service
27 if withdrawal is 60 days after the effective date of this
28 amendatory Act of the 92nd General Assembly or later, of the
29 highest average annual salary for any 4 consecutive years
30 within the last 10 years of service immediately preceding the
31 date of withdrawal, to begin not earlier than upon attainment
32 of age 55 (age 50 if the employee has at least 30 years of
33 service), reduced 0.25% for each full month or remaining
34 fractional part thereof that the employee's attained age when

1 annuity is to begin is less than 60; except that an employee
2 retiring at age 50 or over with at least 30 years of service
3 or at age 55 or over with at least 25 years of service shall
4 not be subject to the reduction in retirement annuity because
5 of retirement below age 60.

6 The maximum annuity payable under part (a) and (b) of
7 this Section shall not exceed 70% of highest average annual
8 salary in the case of an employee who withdraws prior to July
9 1, 1971, and 75% if withdrawal takes place on or after July
10 1, 1971 and prior to 60 days after the effective date of this
11 amendatory Act of the 92nd General Assembly, or 80% if
12 withdrawal is 60 days after the effective date of this
13 amendatory Act of the 92nd General Assembly or later. For the
14 purpose of the minimum annuity provided in this Section
15 \$1,500 is considered the minimum annual salary for any year;
16 and the maximum annual salary for the computation of such
17 annuity is \$4,800 for any year before 1953, \$6000 for the
18 years 1953 to 1956, inclusive, and the actual annual salary,
19 as salary is defined in this Article, for any year
20 thereafter.

21 To preserve rights existing on December 31, 1959, for
22 participants and contributors on that date to the fund
23 created by the Court and Law Department Employees' Annuity
24 Act, who became participants in the fund provided for on
25 January 1, 1960, the maximum annual salary to be considered
26 for such persons for the years 1955 and 1956 is \$7,500.

27 (c) For an employee receiving disability benefit, his
28 salary for annuity purposes under paragraphs (a) and (b) of
29 this Section, for all periods of disability benefit
30 subsequent to the year 1956, is the amount on which his
31 disability benefit was based.

32 (d) An employee with 20 or more years of service, whose
33 entire disability benefit credit period expires before
34 attainment of age 55 while still disabled for service, is

1 entitled upon withdrawal to the larger of (1) the minimum
2 annuity provided above, assuming he is then age 55, and
3 reducing such annuity to its actuarial equivalent as of his
4 attained age on such date or (2) the annuity provided from
5 his age and service and prior service annuity credits.

6 (e) The minimum annuity provisions do not apply to any
7 former municipal employee receiving an annuity from the fund
8 who re-enters service as a municipal employee, unless he
9 renders at least 3 years of additional service after the date
10 of re-entry.

11 (f) An employee in service on July 1, 1947, or who
12 became a contributor after July 1, 1947 and before attainment
13 of age 70, who withdraws after age 65, with less than 20
14 years of service for whom the annuity has been fixed under
15 this Article shall, instead of the annuity so fixed, receive
16 an annuity as follows:

17 Such amount as he could have received had the accumulated
18 amounts for annuity been improved with interest at the
19 effective rate to the date of his withdrawal, or to
20 attainment of age 70, whichever is earlier, and had the city
21 contributed to such earlier date for age and service annuity
22 the amount that it would have contributed had he been under
23 age 65, after the date his annuity was fixed in accordance
24 with this Article, and assuming his annuity were computed
25 from such accumulations as of his age on such earlier date.
26 The annuity so computed shall not exceed the annuity which
27 would be payable under the other provisions of this Section
28 if the employee was credited with 20 years of service and
29 would qualify for annuity thereunder.

30 (g) Instead of the annuity provided in this Article, an
31 employee having attained age 65 with at least 15 years of
32 service who withdraws from service on or after July 1, 1971
33 and whose annuity computed under other provisions of this
34 Article is less than the amount provided under this

1 paragraph, is entitled to a minimum annuity for life equal to
2 1% of the highest average annual salary, as salary is defined
3 and limited in this Section for any 4 consecutive years
4 within the last 10 years of service for each year of service,
5 plus the sum of \$25 for each year of service. The annuity
6 shall not exceed 60% of such highest average annual salary.

7 (g-1) Instead of any other retirement annuity provided
8 in this Article, an employee who has at least 10 years of
9 service and withdraws from service on or after January 1,
10 1999 may elect to receive a retirement annuity for life,
11 beginning no earlier than upon attainment of age 60, equal to
12 2.2% if withdrawal is before 60 days after the effective date
13 of this amendatory Act of the 92nd General Assembly or 2.4%
14 if withdrawal is 60 days after the effective date of this
15 amendatory Act of the 92nd General Assembly or later, of
16 final average salary for each year of service, subject to a
17 maximum of 75% of final average salary if withdrawal is
18 before 60 days after the effective date of this amendatory
19 Act of the 92nd General Assembly, or 80% if withdrawal is 60
20 days after the effective date of this amendatory Act of the
21 92nd General Assembly or later. For the purpose of
22 calculating this annuity, "final average salary" means the
23 highest average annual salary for any 4 consecutive years in
24 the last 10 years of service.

25 (h) The minimum annuities provided under this Section
26 shall be paid in equal monthly installments.

27 (i) The amendatory provisions of part (b) and (g) of
28 this Section shall be effective July 1, 1971 and apply in the
29 case of every qualifying employee withdrawing on or after
30 July 1, 1971.

31 (j) The amendatory provisions of this amendatory Act of
32 1985 (P.A. 84-23) relating to the discount of annuity because
33 of retirement prior to attainment of age 60, and to the
34 retirement formula, for those born before January 1, 1936,

1 shall apply only to qualifying employees withdrawing on or
2 after July 18, 1985.

3 (k) Beginning on January 1, 1999, the minimum amount of
4 employee's annuity shall be \$850 per month for life for the
5 following classes of employees, without regard to the fact
6 that withdrawal occurred prior to the effective date of this
7 amendatory Act of 1998:

8 (1) any employee annuitant alive and receiving a
9 life annuity on the effective date of this amendatory Act
10 of 1998, except a reciprocal annuity;

11 (2) any employee annuitant alive and receiving a
12 term annuity on the effective date of this amendatory Act
13 of 1998, except a reciprocal annuity;

14 (3) any employee annuitant alive and receiving a
15 reciprocal annuity on the effective date of this
16 amendatory Act of 1998, whose service in this fund is at
17 least 5 years;

18 (4) any employee annuitant withdrawing after age 60
19 on or after the effective date of this amendatory Act of
20 1998, with at least 10 years of service in this fund.

21 The increases granted under items (1), (2) and (3) of
22 this subsection (k) shall not be limited by any other Section
23 of this Act.

24 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
25 90-766, eff. 8-14-98.)

26 (40 ILCS 5/8-150.1) (from Ch. 108 1/2, par. 8-150.1)
27 Sec. 8-150.1. Minimum annuities for widows. The widow
28 (otherwise eligible for widow's annuity under other Sections
29 of this Article 8) of an employee hereinafter described, who
30 retires from service or dies while in the service subsequent
31 to the effective date of this amendatory provision, and for
32 which widow the amount of widow's annuity and widow's prior
33 service annuity combined, fixed or provided for such widow

1 under other provisions of this Article is less than the
2 amount provided in this Section, shall, from and after the
3 date her otherwise provided annuity would begin, in lieu of
4 such otherwise provided widow's and widow's prior service
5 annuity, be entitled to the following indicated amount of
6 annuity:

7 (a) The widow of any employee who dies while in service
8 on or after the date on which he attains age 60 if the death
9 occurs before July 1, 1990, or on or after the date on which
10 he attains age 55 if the death occurs on or after July 1,
11 1990, with at least 20 years of service, or on or after the
12 date on which he attains age 50 if the death occurs on or
13 after the effective date of this amendatory Act of 1997 with
14 at least 30 years of service, shall be entitled to an annuity
15 equal to one-half of the amount of annuity which her deceased
16 husband would have been entitled to receive had he withdrawn
17 from the service on the day immediately preceding the date of
18 his death, conditional upon such widow having attained the
19 age of 60 or more years on such date if the death occurs
20 before July 1, 1990, or age 55 or more if the death occurs on
21 or after July 1, 1990, or age 50 or more if the death occurs
22 on or after January 1, 1998 and the employee is age 50 or
23 over with at least 30 years of service or age 55 or over with
24 at least 25 years of service. Except as provided in
25 subsection (k), this widow's annuity shall not, however,
26 exceed the sum of \$500 a month if the employee's death in
27 service occurs before January 23, 1987. The widow's annuity
28 shall not be limited to a maximum dollar amount if the
29 employee's death in service occurs on or after January 23,
30 1987.

31 If the employee dies in service before July 1, 1990, and
32 if such widow of such described employee shall not be 60 or
33 more years of age on such date of death, the amount provided
34 in the immediately preceding paragraph for a widow 60 or more

1 years of age, shall, in the case of such younger widow, be
2 reduced by 0.25% for each month that her then attained age is
3 less than 60 years if the employee was born before January 1,
4 1936 or dies in service on or after January 1, 1988, or by
5 0.5% for each month that her then attained age is less than
6 60 years if the employee was born on or after July 1, 1936
7 and dies in service before January 1, 1988.

8 If the employee dies in service on or after July 1, 1990,
9 and if the widow of the employee has not attained age 55 on
10 or before the employee's date of death, the amount otherwise
11 provided in this subsection (a) shall be reduced by 0.25% for
12 each month that her then attained age is less than 55 years;
13 except that if the employee dies in service on or after
14 January 1, 1998 at age 50 or over with at least 30 years of
15 service or at age 55 or over with at least 25 years of
16 service, there shall be no reduction due to the widow's age
17 if she has attained age 50 on or before the employee's date
18 of death, and if the widow has not attained age 50 on or
19 before the employee's date of death the amount otherwise
20 provided in this subsection (a) shall be reduced by 0.25% for
21 each month that her then attained age is less than 50 years.

22 (b) The widow of any employee who dies subsequent to the
23 date of his retirement on annuity, and who so retired on or
24 after the date on which he attained the age of 60 or more
25 years if retirement occurs before July 1, 1990, or on or
26 after the date on which he attained age 55 if retirement
27 occurs on or after July 1, 1990, with at least 20 years of
28 service, or on or after the date on which he attained age 50
29 if the retirement occurs on or after the effective date of
30 this amendatory Act of 1997 with at least 30 years of
31 service, shall be entitled to an annuity equal to one-half of
32 the amount of annuity which her deceased husband received as
33 of the date of his retirement on annuity, conditional upon
34 such widow having attained the age of 60 or more years on the

1 date of her husband's retirement on annuity if retirement
2 occurs before July 1, 1990, or age 55 or more if retirement
3 occurs on or after July 1, 1990, or age 50 or more if the
4 retirement on annuity occurs on or after January 1, 1998 and
5 the employee is age 50 or over with at least 30 years of
6 service or age 55 or over with at least 25 years of service.
7 Except as provided in subsection (k), this widow's annuity
8 shall not, however, exceed the sum of \$500 a month if the
9 employee's death occurs before January 23, 1987. The widow's
10 annuity shall not be limited to a maximum dollar amount if
11 the employee's death occurs on or after January 23, 1987,
12 regardless of the date of retirement; provided that, if
13 retirement was before January 23, 1987, the employee or
14 eligible spouse repays the excess spouse refund with interest
15 at the effective rate from the date of refund to the date of
16 repayment.

17 If the date of the employee's retirement on annuity is
18 before July 1, 1990, and if such widow of such described
19 employee shall not have attained such age of 60 or more years
20 on such date of her husband's retirement on annuity, the
21 amount provided in the immediately preceding paragraph for a
22 widow 60 or more years of age on the date of her husband's
23 retirement on annuity, shall, in the case of such then
24 younger widow, be reduced by 0.25% for each month that her
25 then attained age was less than 60 years if the employee was
26 born before January 1, 1936 or withdraws from service on or
27 after January 1, 1988, or by 0.5% for each month that her
28 then attained age is less than 60 years if the employee was
29 born on or after January 1, 1936 and withdraws from service
30 before January 1, 1988.

31 If the date of the employee's retirement on annuity is on
32 or after July 1, 1990, and if the widow of the employee has
33 not attained age 55 by the date of the employee's retirement
34 on annuity, the amount otherwise provided in this subsection

1 (b) shall be reduced by 0.25% for each month that her then
2 attained age is less than 55 years; except that if the
3 employee retires on annuity on or after January 1, 1998 at
4 age 50 or over with at least 30 years of service or at age 55
5 or over with at least 25 years of service, there shall be no
6 reduction due to the widow's age if she has attained age 50
7 on or before the employee's date of death, and if the widow
8 has not attained age 50 on or before the employee's date of
9 death the amount otherwise provided in this subsection (b)
10 shall be reduced by 0.25% for each month that her then
11 attained age is less than 50 years.

12 (c) The foregoing provisions relating to minimum
13 annuities for widows shall not apply to the widow of any
14 former municipal employee receiving an annuity from the fund
15 on August 9, 1965 or on the effective date of this amendatory
16 provision, who re-enters service as a municipal employee,
17 unless such employee renders at least 3 years of additional
18 service after the date of re-entry.

19 (d) In computing the amount of annuity which the husband
20 specified in the foregoing paragraphs (a) and (b) of this
21 Section would have been entitled to receive, or received,
22 such amount shall be the annuity to which such husband would
23 have been, or was entitled, before reduction in the amount of
24 his annuity for the purposes of the voluntary optional
25 reversionary annuity provided for in Sec. 8-139 of this
26 Article, if such option was elected.

27 (e) (Blank).

28 (f) (Blank).

29 (g) The amendatory provisions of this amendatory Act of
30 1985 relating to annuity discount because of age for widows
31 of employees born before January 1, 1936, shall apply only to
32 qualifying widows of employees withdrawing or dying in
33 service on or after July 18, 1985.

34 (h) Beginning on January 1, 1999, the minimum amount of

1 widow's annuity shall be \$800 per month for life for the
2 following classes of widows, without regard to the fact that
3 the death of the employee occurred prior to the effective
4 date of this amendatory Act of 1998:

5 (1) any widow annuitant alive and receiving a life
6 annuity on the effective date of this amendatory Act of
7 1998, except a reciprocal annuity;

8 (2) any widow annuitant alive and receiving a term
9 annuity on the effective date of this amendatory Act of
10 1998, except a reciprocal annuity;

11 (3) any widow annuitant alive and receiving a
12 reciprocal annuity on the effective date of this
13 amendatory Act of 1998, whose employee spouse's service
14 in this fund was at least 5 years;

15 (4) the widow of an employee with at least 10 years
16 of service in this fund who dies after retirement, if the
17 retirement occurred prior to the effective date of this
18 amendatory Act of 1998;

19 (5) the widow of an employee with at least 10 years
20 of service in this fund who dies after retirement, if
21 withdrawal occurs on or after the effective date of this
22 amendatory Act of 1998;

23 (6) the widow of an employee who dies in service
24 with at least 5 years of service in this fund, if the
25 death in service occurs on or after the effective date of
26 this amendatory Act of 1998.

27 The increases granted under items (1), (2), (3) and (4)
28 of this subsection (h) shall not be limited by any other
29 Section of this Act.

30 (i) The widow of an employee who retired or died in
31 service on or after January 1, 1985 and before July 1, 1990,
32 at age 55 or older, and with at least 35 years of service
33 credit, shall be entitled to have her widow's annuity
34 increased, effective January 1, 1991, to an amount equal to

1 50% of the retirement annuity that the deceased employee
2 received on the date of retirement, or would have been
3 eligible to receive if he had retired on the day preceding
4 the date of his death in service, provided that if the widow
5 had not attained age 60 by the date of the employee's
6 retirement or death in service, the amount of the annuity
7 shall be reduced by 0.25% for each month that her then
8 attained age was less than age 60 if the employee's
9 retirement or death in service occurred on or after January
10 1, 1988, or by 0.5% for each month that her attained age is
11 less than age 60 if the employee's retirement or death in
12 service occurred prior to January 1, 1988. However, in cases
13 where a refund of excess contributions for widow's annuity
14 has been paid by the Fund, the increase in benefit provided
15 by this subsection (i) shall be contingent upon repayment of
16 the refund to the Fund with interest at the effective rate
17 from the date of refund to the date of payment.

18 (j) If a deceased employee is receiving a retirement
19 annuity at the time of death and that death occurs on or
20 after June 27, 1997, the widow may elect to receive, in lieu
21 of any other annuity provided under this Article, 50% of the
22 deceased employee's retirement annuity at the time of death
23 reduced by 0.25% for each month that the widow's age on the
24 date of death is less than 55; except that if the employee
25 dies on or after January 1, 1998 and withdrew from service on
26 or after June 27, 1997 at age 50 or over with at least 30
27 years of service or at age 55 or over with at least 25 years
28 of service, there shall be no reduction due to the widow's
29 age if she has attained age 50 on or before the employee's
30 date of death, and if the widow has not attained age 50 on or
31 before the employee's date of death the amount otherwise
32 provided in this subsection (j) shall be reduced by 0.25% for
33 each month that her age on the date of death is less than 50
34 years. However, in cases where a refund of excess

1 contributions for widow's annuity has been paid by the Fund,
2 the benefit provided by this subsection (j) is contingent
3 upon repayment of the refund to the Fund with interest at the
4 effective rate from the date of refund to the date of
5 payment.

6 (k) For widows of employees who died before January 23,
7 1987 after retirement on annuity or in service, the maximum
8 dollar amount limitation on widow's annuity shall cease to
9 apply, beginning with the first annuity payment after the
10 effective date of this amendatory Act of 1997; except that if
11 a refund of excess contributions for widow's annuity has been
12 paid by the Fund, the increase resulting from this subsection
13 (k) shall not begin before the refund has been repaid to the
14 Fund, together with interest at the effective rate from the
15 date of the refund to the date of repayment.

16 (l) In lieu of any other annuity provided in this
17 Article, an eligible spouse of an employee who dies in
18 service at least 60 days after the effective date of this
19 amendatory Act of the 92nd General Assembly with at least 10
20 years of service shall be entitled to an annuity of 50% of
21 the minimum formula annuity earned and accrued to the credit
22 of the employee at the date of death. For the purposes of
23 this subsection, the minimum formula annuity earned and
24 accrued to the credit of the employee is equal to 2.40% for
25 each year of service of the highest average annual salary for
26 any 4 consecutive years within the last 10 years of service
27 immediately preceding the date of death, up to a maximum of
28 80% of the highest average annual salary. This annuity shall
29 not be reduced due to the age of the employee or spouse. In
30 addition to any other eligibility requirements under this
31 Article, the spouse is eligible for this annuity only if the
32 marriage was in effect for 10 full years or more.

33 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
34 90-766, eff. 8-14-98.)

(40 ILCS 5/8-158) (from Ch. 108 1/2, par. 8-158)

Sec. 8-158. Child's annuity. A child's annuity is payable monthly after the death of an employee parent to the child until the child's attainment of age 18, under the following conditions, if the child was born before the employee attained age 65, and before he withdrew from service:

(a) ~~upon death resulting from injury incurred in the performance of an act of duty;~~

~~(b) upon death in service from any cause other than injury incurred in the performance of an act of duty, if the employee has at least 4 years of service after the date of his original entry into service, and at least 2 years after the date of his latest re-entry;~~

(b) (e) upon death of an employee who withdraws from service after age 55 (or after age 50 with at least 30 years of service if withdrawal is on or after June 27, 1997) and who has entered upon or is eligible for annuity.

Payment shall be made as provided in Section 8-125.

(Source: P.A. 90-31, eff. 6-27-97; 90-766, eff. 8-14-98.)

(40 ILCS 5/8-161) (from Ch. 108 1/2, par. 8-161)

Sec. 8-161. Ordinary disability benefit. An employee while under age 65 and prior to January 1, 1979, or while under age 70 and after January 1, 1979, who becomes disabled after the effective date as the result of any cause other than injury incurred in the performance of duty, shall be entitled to ordinary disability benefit during such disability, after the first 30 days thereof.

The first payment shall be made not later than one month after the benefit is granted and each subsequent payment shall be made not later than one month after the last preceding payment.

1 The disability benefit prescribed herein shall cease when
2 the first of the following dates shall occur and the
3 employee, if still disabled, shall thereafter be entitled to
4 such annuity as is otherwise provided in this Article:

5 (a) the date disability ceases.

6 (b) the date the disabled employee attains age 65 for
7 disability commencing prior to January 1, 1979.

8 (c) the date the disabled employee attains age 65 for
9 disability commencing prior to attainment of age 60 in the
10 service and after January 1, 1979.

11 (d) the date the disabled employee attains the age of 70
12 for disability commencing after attainment of age 60 in the
13 service and after January 1, 1979.

14 (e) the date the payments of the benefit shall exceed in
15 the aggregate, throughout the employee's service, a period
16 equal to 1/4 of the total service rendered prior to the date
17 of disability but in no event more than 5 years. In
18 computing such total service any period during which the
19 employee received ordinary disability benefit shall be
20 excluded.

21 Any employee whose ordinary disability benefit was
22 terminated after January 1, 1979 by reason of his attainment
23 of age 65 and who continues disabled after age 65 may elect
24 before July 1, 1986 to have such benefits resumed beginning
25 at the time of such termination and continuing until
26 termination is required under this Section as amended by this
27 amendatory Act of 1985. The amount payable to any employee
28 for such resumed benefit for any period shall be reduced by
29 the amount of any retirement annuity paid to such employee
30 under this Article for the same period of time or by any
31 refund paid in lieu of annuity.

32 Ordinary disability benefit shall be 50% of the
33 employee's salary at the date of disability.

34 For ordinary disability benefits paid before January 1,

1 2001, before any payment, an amount equal to less the sum
2 ordinarily deducted from salary for all annuity purposes for
3 such period for which the ordinary disability benefit is made
4 shall be deducted from such payment and credited to the
5 employee as a deduction from salary for that period. The
6 sums so deducted shall be-credited-to-the-employee-and--shall
7 be regarded, for annuity and refund purposes, as an amount
8 contributed by him.

9 For ordinary disability benefits paid on or after January
10 1, 2001, the fund shall credit sums equal to the amounts
11 ordinarily contributed by an employee for annuity purposes
12 for any period during which the employee receives ordinary
13 disability, and those sums shall be deemed for annuity
14 purposes and purposes of Section 8-173 as amounts contributed
15 by the employee. These amounts credited for annuity purposes
16 shall not be credited for refund purposes.

17 If a participating employee is eligible for a disability
18 benefit under the federal Social Security Act, the amount of
19 ordinary disability benefit under this Section attributable
20 to employment with the Chicago Housing Authority or the
21 Public Building Commission of the city shall be reduced, but
22 not to less than \$10 per month, by the amount that the
23 employee would be eligible to receive as a disability benefit
24 under the federal Social Security Act, whether or not that
25 federal benefit is based on service as a covered employee
26 under this Article. The reduction shall be effective as of
27 the month the employee is eligible for the social security
28 disability benefit. The Board may make this reduction
29 pending determination of eligibility for the social security
30 disability benefit, if it appears to the Board that the
31 employee may be eligible, and make an appropriate adjustment
32 if necessary after eligibility for the social security
33 disability benefit is determined. If the employee's social
34 security disability benefit is reduced or terminated because

1 of a refusal to accept rehabilitation services under the
2 federal Rehabilitation Act of 1973 or the federal Social
3 Security Act or because the employee is receiving a workers'
4 compensation benefit, the ordinary disability benefit under
5 this Section shall be reduced as if the employee were
6 receiving the full social security disability benefit.

7 The amount of ordinary disability benefit shall not be
8 reduced by reason of any increase in the amount of social
9 security disability benefit that takes effect after the month
10 of the initial reduction under this Section, other than an
11 increase resulting from a correction in the employee's wage
12 records.

13 (Source: P.A. 84-23.)

14 (40 ILCS 5/8-168) (from Ch. 108 1/2, par. 8-168)

15 Sec. 8-168. Refunds - Withdrawal before age 55 or with
16 less than 10 years of service.

17 1. An employee, without regard to length of service, who
18 withdraws before age 55, and any employee with less than 10
19 years of service who withdraws before age 60, shall be
20 entitled to a refund of the accumulated sums to his credit,
21 as of the date of withdrawal, for age and service annuity and
22 widow's annuity from amounts contributed by him, including
23 interest credited and including amounts contributed for him
24 for age and service and widow's annuity purposes by the city
25 while receiving duty disability benefits; provided that such
26 amounts contributed by the city after December 31, 1981,
27 while the employee is receiving duty disability benefits, and
28 amounts credited to the employee for annuity purposes by the
29 fund after December 31, 2000, while the employee is receiving
30 ordinary disability benefits, shall not be credited for
31 refund purposes. If he is a present employee he shall also be
32 entitled to a refund of the accumulations from any sums
33 contributed by him, and applied to any municipal pension fund

1 superseded by this fund.

2 2. Upon receipt of the refund, the employee surrenders
3 and forfeits all rights to any annuity or other benefits, for
4 himself and for any other persons who might have benefited
5 through him; provided that he may have such period of service
6 counted in computing the term of his service if he becomes an
7 employee before age 65, excepting as limited by the
8 provisions of paragraph (a) (3) of Section 8-232 of this
9 Article relating to the basis of computing the term of
10 service.

11 3. Any such employee shall retain such right to a refund
12 of such amounts when he shall apply for same until he
13 re-enters the service or until the amount of annuity shall
14 have been fixed as provided in this Article. Thereafter, no
15 such right shall exist in the case of any such employee.

16 4. Any such municipal employee who shall have served 10
17 or more years and who shall not withdraw the amounts
18 aforesaid to which he shall have a right of refund shall have
19 a right to annuity as stated in this Article.

20 5. Any such municipal employee who shall have served
21 less than 10 years and who shall not withdraw the amounts to
22 which he shall have a right to refund shall have a right to
23 have all such amounts and all other amounts to his credit for
24 annuity purposes on date of his withdrawal from service
25 retained to his credit and improved by interest while he
26 shall be out of the service at the rate of 3 1/2% or 3% per
27 annum (whichever rate shall apply under the provisions of
28 Section 8-155 of this Article) and used for annuity purposes
29 for his benefit and the benefit of any person who may have
30 any right to annuity through him because of his service,
31 according to the provisions of this Article in the event that
32 he shall subsequently re-enter the service and complete the
33 number of years of service necessary to attain a right to
34 annuity; but such sum shall be improved by interest to his

1 credit while he shall be out of the service only until he
2 shall have become 65 years of age.

3 (Source: P.A. 82-283.)

4 (40 ILCS 5/8-171) (from Ch. 108 1/2, par. 8-171)

5 Sec. 8-171. Refund in lieu of annuity. In lieu of an
6 annuity, an employee who withdraws and whose annuity would
7 amount to less than \$800 a month for life, may elect to
8 receive a refund of his accumulated contributions for annuity
9 purposes, based on the amounts contributed by him.

10 The widow of any employee, eligible for annuity upon the
11 death of her husband, whose widow's annuity would amount to
12 less than \$800 a month for life, may, in lieu of widow's
13 annuity, elect to receive a refund of the accumulated
14 contributions for annuity purposes, based on the amounts
15 contributed by her deceased employee husband, but reduced by
16 any amounts theretofore paid to him in the form of an annuity
17 or refund out of such accumulated contributions.

18 Accumulated contributions shall mean the amounts -
19 including the interest credited thereon - contributed by the
20 employee for age and service and widow's annuity to the date
21 of his withdrawal or death, whichever first occurs, including
22 any amounts contributed for him as salary deductions while
23 receiving duty disability benefits, and, if not otherwise
24 included, any accumulations from sums contributed by him and
25 applied to any pension fund superseded by this fund; provided
26 that such amounts contributed by the city after December 31,
27 1981 while the employee is receiving duty disability benefits
28 and amounts credited to the employee for annuity purposes by
29 the fund after December 31, 2000 while the employee is
30 receiving ordinary disability shall not be included.

31 The acceptance of such refund in lieu of widow's annuity,
32 on the part of a widow, shall not deprive a child or children
33 of the right to receive a child's annuity as provided for in

1 Sections 8-158 and 8-159 of this Article, and neither shall
2 the payment of a child's annuity in the case of such refund
3 to a widow reduce the amount herein set forth as refundable
4 to such widow electing a refund in lieu of widow's annuity.

5 (Source: P.A. 91-887, eff. 7-6-00.)

6 (40 ILCS 5/8-230.7)

7 Sec. 8-230.7. Service rendered to Public Building
8 Commission.

9 (a) An employee or former employee of the Public
10 Building Commission of the city who has established credit
11 under the Fund with regard to service to an employer other
12 than the Public Building Commission of the city may
13 contribute to the Fund and receive credit for all periods of
14 full-time employment with by the Public Building Commission
15 created by the employing city occurring prior to 60 days
16 after the effective date of this amendatory Act, except for
17 those periods for which the employee retains a right to
18 credit in another public pension fund or retirement system
19 established under this Code. Such service credit shall be
20 paid for and granted on the same basis and under the same
21 conditions as are applicable in the case of employees who
22 make payment for past service under Section 8-230, provided
23 that the person must also pay the corresponding employer
24 contributions, and further provided that the contributions
25 and service credit are permitted under Section 415 of the
26 Internal Revenue Code of 1986. The contributions shall be
27 based on the salary actually received by the person from the
28 Commission for that employment.

29 (b) A person establishing service credit under
30 subsection (a) or electing to participate in the Fund under
31 subsection (d) may, at the same time, reinstate service
32 credit that was terminated through receipt of a refund by
33 repaying to the Fund the amount of the refund plus interest

1 at the effective rate from the date of the refund to the date
2 of repayment.

3 (c) An eligible person may establish service credit
4 under subsection (a) and reinstate service credit under
5 subsection (b) without returning to active service as an
6 employee under this Article, but the required contributions
7 and repayment must be received by the Fund before the person
8 begins to receive a retirement annuity under this Article.

9 (d) Within 60 days after beginning full-time employment
10 with the Public Building Commission of the city (or within 60
11 days after the effective date of this amendatory Act of the
12 92nd General Assembly, whichever is later), a person having
13 service credits in this Fund or reinstating service credits
14 under subsection (b) may elect to participate in this Fund
15 with respect to that Public Building Commission employment.
16 An employee who participates in this Fund with respect to
17 Public Building Commission employment shall not, with respect
18 to the same period of employment, participate in any other
19 pension plan for employees of the Commission for which
20 contributions are made by the Commission, except that this
21 provision shall not prevent an employee from making elective
22 contributions to a plan of deferred compensation during that
23 period. An election under this subsection (d), once made, is
24 irrevocable.

25 Participation under this subsection shall be on the same
26 basis and under the same conditions as are applicable in the
27 case of participating employees of the city. Employee
28 contributions shall be based on the salary actually received
29 by the employee for that employment. Employer contributions
30 shall be paid by the Public Building Commission rather than
31 the city, at a rate to be determined by the Retirement Board.

32 (Source: P.A. 90-766, eff. 8-14-98.)

33 (40 ILCS 5/8-230.9 new)

1 Sec. 8-230.9. Service rendered to Chicago Housing
2 Authority.

3 (a) Within 60 days after beginning full-time employment
4 with the Chicago Housing Authority (or within 60 days after
5 the effective date of this amendatory Act of the 92nd General
6 Assembly, whichever is later), a person having service
7 credits in this Fund or reinstating service credits under
8 subsection (c) may elect to participate in this Fund with
9 respect to that Chicago Housing Authority employment. An
10 employee who participates in this Fund with respect to
11 Chicago Housing Authority employment shall not, with respect
12 to the same period of employment, participate in any other
13 pension plan for employees of the Authority for which
14 contributions are made by the Authority, except that this
15 provision shall not prevent an employee from making elective
16 contributions to a plan of deferred compensation during that
17 period. An election under this subsection (a), once made, is
18 irrevocable.

19 Participation under this subsection shall be on the same
20 basis and under the same conditions as are applicable in the
21 case of participating employees of the city. Employee
22 contributions shall be based on the salary actually received
23 by the employee for that employment. Employer contributions
24 shall be paid by the Chicago Housing Authority rather than
25 the city, at a rate to be determined by the Retirement Board.

26 (b) An employee or former employee of the Chicago
27 Housing Authority who has established credit under the Fund
28 with regard to service to an employer other than the Chicago
29 Housing Authority may contribute to the Fund and receive
30 credit for all periods of full-time employment with the
31 Chicago Housing Authority occurring prior to 60 days after
32 the effective date of this amendatory Act, except for those
33 periods for which the employee retains a right to credit in
34 another public pension fund or retirement system established

1 under this Code. Such service credit shall be paid for and
 2 granted on the same basis and under the same conditions as
 3 are applicable in the case of employees who make payment for
 4 past service under Section 8-230, provided that the person
 5 must also pay the corresponding employer contributions, and
 6 further provided that the contributions and service credit
 7 are permitted under Section 415 of the Internal Revenue Code
 8 of 1986. The contributions shall be based on the salary
 9 actually received by the person from the Authority for that
 10 employment.

11 (c) A person establishing service credit under
 12 subsection (b) or electing to participate in the Fund under
 13 subsection (a) may, at the same time, reinstate service
 14 credit that was terminated through receipt of a refund by
 15 repaying to the Fund the amount of the refund plus interest
 16 at the effective rate from the date of the refund to the date
 17 of repayment.

18 (d) An eligible person may establish service credit
 19 under subsection (b) and reinstate service credit under
 20 subsection (c) without returning to active service as an
 21 employee under this Article, but the required contributions
 22 and repayment must be received by the Fund before the person
 23 begins to receive a retirement annuity under this Article.

24 (40 ILCS 5/8-230.10 new)

25 Sec. 8-230.10. Service rendered to IHDA. An employee
 26 with at least 10 years of creditable service in the Fund may
 27 establish service credit for up to 7 years of full-time
 28 employment by the Illinois Housing Development Authority for
 29 which the employee does not have credit in another public
 30 pension fund or retirement system.

31 To establish service credit under this Section, the
 32 employee must apply to the Fund in writing by July 1, 2002
 33 and pay to the Fund, at any time before beginning to receive

1 a retirement annuity under this Article, an amount to be
 2 determined by the Fund, consisting of (i) employee
 3 contributions based on the salary actually received by the
 4 person from the Illinois Housing Development Authority for
 5 that employment and the contribution rates then in effect for
 6 employees of the Fund, (ii) the corresponding employer
 7 contributions, and (iii) regular interest on the amounts in
 8 items (i) and (ii) from the date of the service to the date
 9 of payment.

10 (40 ILCS 5/9-121.14 new)

11 Sec. 9-121.14. Benefit processors. An employee with at
 12 least 5 years of creditable service under this Article may
 13 purchase service credit for annuity purposes for up to 5
 14 years of time spent working as a benefits processor for a
 15 firm under contract with the Fund, by paying to the Fund
 16 before July 1, 2002 an amount equal to 8.5% of the salary
 17 received for that work or, if that salary is not
 18 determinable, 8.5% of the employee's annual salary rate on
 19 the first day of service in the Fund for each year of service
 20 credit established under this Section. The employee may not
 21 make optional contributions under Section 9-121.6 or 9-179.3
 22 for periods of credit established under this Section.

23 (40 ILCS 5/9-121.15)

24 Sec. 9-121.15. Transfer of credit from Article 14 system.
 25 A current or former An employee shall be entitled to service
 26 credit in the Fund for any creditable service transferred to
 27 this Fund from the State Employees' Retirement System under
 28 Section 14-105.7 of this Code. Credit under this Fund shall
 29 be granted upon receipt by the Fund of the amounts required
 30 to be transferred under Section 14-105.7; no additional
 31 contribution is necessary.

32 (Source: P.A. 90-511, eff. 8-22-97.)

(40 ILCS 5/9-121.16 new)

Sec. 9-121.16. Contractual service to the Retirement Board. A person who has rendered continuous contractual services (other than legal services) to the Retirement Board for a period of at least 5 years may establish creditable service in the Fund for up to 10 years of those services by making written application to the Board before July 1, 2002 and paying to the Fund an amount to be determined by the Board, equal to the employee contributions that would have been required if those services had been performed as an employee.

For the purposes of calculating the required payment, the Board may determine the applicable salary equivalent based on the compensation received by the person for performing those contractual services. The salary equivalent calculated under this Section shall not be used for determining final average salary under Section 9-134 or any other provisions of this Code.

A person may not make optional contributions under Section 9-121.6 or 9-179.3 for periods of credit established under this Section.

(40 ILCS 5/9-134) (from Ch. 108 1/2, par. 9-134)

Sec. 9-134. Minimum annuity - Additional provisions.

(a) An employee who withdraws after July 1, 1957 at age 60 or more with 20 or more years of service, for whom the amount of age and service and prior service annuity combined is less than the amount stated in this Section from the date of withdrawal, instead of all annuities otherwise provided in this Article, is entitled to receive an annuity for life of an amount equal to 1 2/3% for each year of service, of his highest average annual salary for any 5 consecutive years within the last 10 years of service immediately preceding the date of withdrawal; provided that in the case of any employee

1 who withdraws on or after July 1, 1971, such employee age 60
2 or over with 20 or more years of service, or who withdraws on
3 or after January 1, 1982 and on or after attainment of age 65
4 with 10 or more years of service, shall instead receive an
5 annuity for life equal to 1.67% for each of the first 10
6 years of service; 1.90% for each of the next 10 years of
7 service; 2.10% for each year of service in excess of 20 but
8 not exceeding 30; and 2.30% for each year of service in
9 excess of 30, based on the highest average annual salary for
10 any 4 consecutive years within the last 10 years of service
11 immediately preceding the date of withdrawal.

12 An employee who withdraws after July 1, 1957, but prior
13 to January 1, 1988, with 20 or more years of service, before
14 age 60 is entitled to annuity, to begin not earlier than age
15 55, if under such age at withdrawal, as computed in the last
16 preceding paragraph, reduced 1/2 of 1% for each full month or
17 fractional part thereof that his attained age when annuity is
18 to begin is less than 60 to the end that the total reduction
19 at age 55 shall be 30%, except that an employee retiring at
20 age 55 or over but less than age 60, having at least 35 years
21 of service, shall not be subject to the reduction in his
22 retirement annuity because of retirement below age 60.

23 An employee who withdraws on or after January 1, 1988,
24 with 20 or more years of service and before age 60, is
25 entitled to annuity as computed above, to begin not earlier
26 than age 50 if under such age at withdrawal, reduced 1/2 of
27 1% for each full month or fractional part thereof that his
28 attained age when annuity is to begin is less than 60, to the
29 end that the total reduction at age 50 shall be 60%, except
30 that an employee retiring at age 50 or over but less than age
31 60, having at least 30 years of service, shall not be subject
32 to the reduction in retirement annuity because of retirement
33 below age 60.

34 An employee who withdraws on or after January 1, 1992 but

1 before January 1, 1993, at age 60 or over with 5 or more
2 years of service, may elect, in lieu of any other employee
3 annuity provided in this Section, to receive an annuity for
4 life equal to 2.20% for each of the first 20 years of
5 service, and 2.40% for each year of service in excess of 20,
6 based on the highest average annual salary for any 4
7 consecutive years within the last 10 years of service
8 immediately preceding the date of withdrawal. An employee
9 who withdraws on or after January 1, 1992, but before January
10 1, 1993, on or after attainment of age 55 but before
11 attainment of age 60 with 5 or more years of service, is
12 entitled to elect such annuity, but the annuity shall be
13 reduced 0.25% for each full month or fractional part thereof
14 that his attained age when the annuity is to begin is less
15 than age 60, to the end that the total reduction at age 55
16 shall be 15%, except that an employee retiring at age 55 or
17 over but less than age 60, having at least 30 years of
18 service, shall not be subject to the reduction in retirement
19 annuity because of retirement below age 60. This annuity
20 benefit formula shall only apply to those employees who are
21 age 55 or over prior to January 1, 1993, and who elect to
22 withdraw at age 55 or over on or after January 1, 1992 but
23 before January 1, 1993.

24 An employee who withdraws on or after July 1, 1996 but
25 before August 1, 1996, at age 55 or over with 8 or more years
26 of service, may elect, in lieu of any other employee annuity
27 provided in this Section, to receive an annuity for life
28 equal to 2.20% for each of the first 20 years of service, and
29 2.40% for each year of service in excess of 20, based on the
30 highest average annual salary for any 4 consecutive years
31 within the last 10 years of service immediately preceding the
32 date of withdrawal, but the annuity shall be reduced by 0.25%
33 for each full month or fractional part thereof that the
34 annuitant's attained age when the annuity is to begin is less

1 than age 60, unless the annuitant has at least 30 years of
2 service.

3 The maximum annuity under this paragraph (a) shall not
4 exceed 70% of highest average annual salary for any 5
5 consecutive years within the last 10 years of service in the
6 case of an employee who withdraws prior to July 1, 1971, and
7 75% of the highest average annual salary for any 4
8 consecutive years within the last 10 years of service
9 immediately preceding the date of withdrawal if withdrawal
10 takes place on or after July 1, 1971 and prior to January 1,
11 1988, and 80% of the highest average annual salary for any 4
12 consecutive years within the last 10 years of service
13 immediately preceding the date of withdrawal if withdrawal
14 takes place on or after January 1, 1988. Fifteen hundred
15 dollars shall be considered the minimum amount of annual
16 salary for any year, and the maximum shall be his salary as
17 defined in this Article, except that for the years before
18 1957 and subsequent to 1952 the maximum annual salary to be
19 considered shall be \$6,000, and for any year before the year
20 1953, \$4,800.

21 (b) Any employee who withdraws on or after July 1, 1985
22 but prior to January 1, 1988, at age 60 or over with 10 or
23 more years of service, may elect in lieu of the benefit in
24 paragraph (a) to receive an annuity for life equal to 2.00%
25 for each year of service, based on the highest average annual
26 salary for any 4 consecutive years within the last 10 years
27 of service immediately preceding the date of withdrawal. An
28 employee who withdraws on or after July 1, 1985, but prior to
29 January 1, 1988, with 10 or more years of service, but before
30 age 60, is entitled to elect such annuity, to begin not
31 earlier than age 55, but the annuity shall be reduced 0.5%
32 for each full month or fractional part thereof that his
33 attained age when the annuity is to begin is less than 60, to
34 the end that the total reduction at age 55 shall be 30%;

1 except that an employee retiring at age 55 or over but less
2 than age 60, having at least 30 years of service, shall not
3 be subject to the reduction in retirement annuity because of
4 retirement below age 60.

5 An employee who withdraws on or after January 1, 1988, at
6 age 60 or over with 10 or more years of service, may elect,
7 in lieu of the benefit in paragraph (a), to receive an
8 annuity for life equal to 2.20% for each of the first 20
9 years of service, and 2.4% for each year of service in excess
10 of 20, based on the highest average annual salary for any 4
11 consecutive years within the last 10 years of service
12 immediately preceding the date of withdrawal. An employee who
13 withdraws on or after January 1, 1988, with 10 or more years
14 of service, but before age 60, is entitled to elect such
15 annuity, to begin not earlier than age 50, but the annuity
16 shall be reduced 0.5% for each full month or fractional part
17 thereof that his attained age when the annuity is to begin is
18 less than 60, to the end that the total reduction at age 50
19 shall be 60%, except that an employee retiring at age 50 or
20 over but less than age 60, having at least 30 years of
21 service, shall not be subject to the reduction in retirement
22 annuity because of retirement below age 60.

23 An employee who withdraws on or after December 31, 2000
24 with 10 or more years of service may elect, in lieu of any
25 other retirement annuity provided under this Article, to
26 receive an annuity for life, beginning no earlier than upon
27 attainment of age 50, equal to 2.40% of his or her highest
28 average annual salary for any 4 consecutive years within the
29 last 10 years of service immediately preceding withdrawal,
30 for each year of service. If the employee has less than 30
31 years of service, the annuity shall be reduced by 0.5% for
32 each full month or remaining fraction thereof that the
33 employee's attained age when the annuity is to begin is less
34 than 60.

1 The maximum annuity under this paragraph (b) shall not
2 exceed 75% of the highest average annual salary for any 4
3 consecutive years within the last 10 years of service
4 immediately preceding the date of withdrawal if withdrawal
5 occurs prior to January 1, 1988, or 80% of the highest
6 average annual salary for any 4 consecutive years within the
7 last 10 years of service immediately preceding the date of
8 withdrawal if withdrawal takes place on or after January 1,
9 1988.

10 The provisions of this paragraph (b) do not apply to any
11 former County employee receiving an annuity from the fund,
12 who re-enters service as a County employee, unless he renders
13 at least 3 years of additional service after the date of
14 re-entry.

15 (c) For an employee receiving disability benefit, the
16 salary for annuity purposes under paragraph (a) or (b) of
17 this Section shall, for all periods of disability benefit
18 subsequent to the year 1956, be the amount on which his
19 disability benefit was based.

20 (d) A county employee with 20 or more years of service,
21 whose entire disability benefit credit period expires before
22 attainment of age 50 (age 55 if expiration occurs before
23 January 1, 1988), while still disabled for service is
24 entitled upon withdrawal to the larger of:

25 (1) The minimum annuity provided above, assuming
26 that he is then age 50 (age 55 if expiration occurs
27 before January 1, 1988), and reducing such annuity to its
28 actuarial equivalent at his attained age on such date, or

29 (2) the annuity provided from his age and service
30 and prior service annuity credits.

31 (e) The minimum annuity provisions above do not apply to
32 any former county employee receiving an annuity from the
33 fund, who re-enters service as a county employee, unless he
34 renders at least 3 years of additional service after the date

1 of re-entry.

2 (f) Any employee in service on July 1, 1947, or who
3 enters service thereafter before attaining age 65 and
4 withdraws after age 65 with less than 10 years of service for
5 whom the annuity has been fixed under the foregoing Sections
6 of this Article, shall, instead of the annuity so fixed,
7 receive an annuity as follows:

8 Such amount as he could have received had the accumulated
9 amounts for annuity been improved with interest at the
10 effective rate to the date of withdrawal, or to attainment of
11 age 70, whichever is earlier, and had the county contributed
12 to such earlier date for age and service annuity the amount
13 that it would have contributed had he been under age 65,
14 after the date his annuity was fixed in accordance with this
15 Article, and assuming his annuity were computed from such
16 accumulations as of his age on such earlier date. However
17 those employees who before July 1, 1953, made additional
18 contributions in accordance with this Article, the annuity so
19 computed under this paragraph shall not exceed the annuity
20 which would be payable under the other provisions of this
21 Section if the employee concerned was credited with 20 years
22 of service and would qualify for annuity thereunder.

23 (g) Instead of the annuity provided in this or any other
24 Section of this Article, an employee having attained age 65
25 with at least 15 years of service may elect to receive a
26 minimum annual annuity for life equal to 1% of the highest
27 average annual salary for any 4 consecutive years within the
28 last 10 years of service immediately preceding retirement for
29 each year of service, plus the sum of \$25 for each year of
30 service provided that no such minimum annual annuity may be
31 greater than 60% of such highest average annual salary.

32 (h) The annuity is payable in equal monthly
33 installments.

34 (i) If, by operation of law, a function of a

1 governmental unit, as defined by Section 20-107 of this Code,
 2 is transferred in whole or in part to the county in which
 3 this Article 9 is created as set forth in Section 9-101, and
 4 employees of the governmental unit are transferred as a class
 5 to such county, the earnings credits in the retirement system
 6 covering the governmental unit which have been validated
 7 under Section 20-109 of this Code shall be considered in
 8 determining the highest average annual salary for purposes of
 9 this Section 9-134.

10 (j) The annuity being paid to an employee annuitant on
 11 July 1, 1988, shall be increased on that date by 1% for each
 12 full year that has elapsed from the date the annuity began.

13 (k) Notwithstanding anything to the contrary in this
 14 Article 9, Section 20-131 shall not apply to an employee who
 15 withdraws on or after January 1, 1988, but prior to attaining
 16 age 55. Therefore, no employee shall be entitled to elect to
 17 have the alternative formula previously set forth in Section
 18 20-122 prior to the amendatory Act of 1975 apply to any
 19 annuity, the payment of which commenced after January 1,
 20 1988, but prior to such employee's attainment of age 55.

21 (Source: P.A. 86-272; 87-794.)

22 (40 ILCS 5/9-134.3)

23 Sec. 9-134.3. Early retirement incentives.

24 (a) To be eligible for the benefits provided in this
 25 Section, a person must:

26 (1) be a current contributing member of the Fund
 27 established under this Article who, on May 1, 1997 and
 28 within 30 days prior to the date of retirement, is (i) in
 29 active payroll status in a position of employment under
 30 this Article or (ii) receiving disability benefits under
 31 Section 9-156 or 9-157; or else be eligible under
 32 subsection (g);

33 (2) have not previously retired from the Fund,

1 except as provided under subsection (g);

2 (3) file with the Board before October 1, 1997 (or
3 the date specified in subsection (g), if applicable); a
4 written application requesting the benefits provided in
5 this Section;

6 (4) elect to retire under this Section on or after
7 September 1, 1997 and on or before February 28, 1998 (or
8 the date established under subsection (d) or (g), if
9 applicable);

10 (5) have attained age 55 on or before the date of
11 retirement and before February 28, 1998; and

12 (6) have at least 10 years of creditable service in
13 the Fund, excluding service in any of the other
14 participating systems under the Retirement Systems
15 Reciprocal Act, by the effective date of the retirement
16 annuity or February 28, 1998, whichever occurs first.

17 (b) An employee who qualifies for the benefits provided
18 under this Section shall be entitled to the following:

19 (1) The employee's retirement annuity, as
20 calculated under the other provisions of this Article,
21 shall be increased at the time of retirement by an amount
22 equal to 1% of the employee's average annual salary for
23 the highest 4 consecutive years within the last 10 years
24 of service, multiplied by the employee's number of years
25 of service credit in this Fund up to a maximum of 10
26 years; except that the total retirement annuity,
27 including any additional benefits elected under Section
28 9-121.6 or 9-179.3, shall not exceed 80% of that highest
29 average annual salary.

30 (2) If the employee's retirement annuity is
31 calculated under Section 9-134, the employee shall not be
32 subject to the reduction in retirement annuity because of
33 retirement below age 60 that is otherwise required under
34 that Section.

1 (c) A person who elects to retire under the provisions
2 of this Section thereby relinquishes his or her right, if
3 any, to have the retirement annuity calculated under the
4 alternative formula formerly set forth in Section 20-122 of
5 the Retirement Systems Reciprocal Act.

6 (d) In the case of an employee whose immediate
7 retirement could jeopardize public safety or create hardship
8 for the employer, the deadline for retirement provided in
9 subdivision (a)(4) of this Section may be extended to a
10 specified date, no later than August 31, 1998, by the
11 employee's department head, with the approval of the
12 President of the County Board. In the case of an employee
13 who is not employed by a department of the County, the
14 employee's "department head", for the purposes of this
15 Section, shall be a person designated by the President of the
16 County Board.

17 (e) Notwithstanding Section 9-161, an annuitant who
18 reenters service under this Article after receiving a
19 retirement annuity based on benefits provided under this
20 Section thereby forfeits the right to continue to receive
21 those benefits and shall have his or her retirement annuity
22 recalculated without the benefits provided in this Section.

23 (f) This Section also applies to the Fund established
24 under Article 10 of this Code.

25 (g) A person who (1) was a participating employee on
26 November 30, 1996, (2) was laid off on or after December 1,
27 1996 and before May 1, 1997 due to the elimination of the
28 employee's job or position, (3) meets the requirements of
29 items (3) through (6) of subsection (a), and (4) has not been
30 reinstated as a Cook County employee since being laid off is
31 eligible for the benefits provided under this Section. For
32 such a person, the application required under subdivision
33 (a)(3) of this Section must be filed within 60 days after the
34 effective date of this amendatory Act of the 92nd General

1 Assembly, and the date of retirement must be within 60 days
2 after the effective date of this amendatory Act.

3 In the case of a person eligible under this subsection
4 (g) who began to receive a retirement annuity before the
5 effective date of this amendatory Act, the annuity shall be
6 recalculated to include the increase under this Section, and
7 that increase shall take effect on the first annuity payment
8 date following the date of application.

9 (Source: P.A. 90-32, eff. 6-27-97.)

10 (40 ILCS 5/9-134.4 new)

11 Sec. 9-134.4. Early retirement incentives.

12 (a) To be eligible for the benefits provided in this
13 Section, a person must:

14 (1) be a current contributing member of the Fund
15 established under this Article who, on January 1, 2001
16 and within 30 days prior to the date of retirement, is
17 (i) in active payroll status in a position of employment
18 under this Article or (ii) receiving disability benefits
19 under Section 9-156 or 9-157;

20 (2) have not previously retired from the Fund;

21 (3) file with the Board before June 1, 2002 a
22 written application requesting the benefits provided in
23 this Section;

24 (4) elect to retire under this Section on or after
25 June 1, 2002 and on or before November 30, 2002 (or the
26 date established under subsection (d), if applicable);

27 (5) have attained age 50 on or before the date of
28 retirement and before November 30, 2002; and

29 (6) have at least 20 years of creditable service in
30 the Fund, excluding service in any of the other
31 participating systems under the Retirement Systems
32 Reciprocal Act, by the effective date of the retirement
33 annuity or November 30, 2002, whichever occurs first.

1 (b) An employee who qualifies for the benefits provided
2 under this Section shall be entitled to the following:

3 (1) The employee's retirement annuity, as
4 calculated under the other provisions of this Article,
5 shall be increased at the time of retirement by an amount
6 equal to 1% of the employee's average annual salary for
7 the highest 4 consecutive years within the last 10 years
8 of service, multiplied by the employee's number of years
9 of service credit in this Fund up to a maximum of 10
10 years; except that the total retirement annuity,
11 including any additional benefits elected under Section
12 9-121.6 or 9-179.3, shall not exceed 80% of that highest
13 average annual salary.

14 (2) If the employee's retirement annuity is
15 calculated under Section 9-134, the employee shall not be
16 subject to the reduction in retirement annuity because of
17 retirement below age 60 that is otherwise required under
18 that Section.

19 (c) A person who elects to retire under the provisions
20 of this Section thereby relinquishes his or her right, if
21 any, to have the retirement annuity calculated under the
22 alternative formula formerly set forth in Section 20-122 of
23 the Retirement Systems Reciprocal Act.

24 (d) In the case of an employee whose immediate
25 retirement could jeopardize public safety or create hardship
26 for the employer, the deadline for retirement provided in
27 subdivision (a)(4) of this Section may be extended to a
28 specified date, no later than May 31, 2003, by the employee's
29 department head, with the approval of the President of the
30 County Board. In the case of an employee who is not employed
31 by a department of the County, the employee's "department
32 head", for the purposes of this Section, shall be a person
33 designated by the President of the County Board.

34 (e) Notwithstanding Section 9-161, an annuitant who

1 reenters service under this Article after receiving a
 2 retirement annuity based on benefits provided under this
 3 Section thereby forfeits the right to continue to receive
 4 those benefits and shall have his or her retirement annuity
 5 recalculated without the benefits provided in this Section.

6 (f) This Section also applies to the Fund established
 7 under Article 10 of this Code.

8 (40 ILCS 5/9-163) (from Ch. 108 1/2, par. 9-163)

9 Sec. 9-163. Restoration of rights. An employee who has
 10 withdrawn as a refund the amounts credited for annuity
 11 purposes, and who re-enters service and serves for periods
 12 comprising at least 2 years after the date of the last refund
 13 paid to him, may have his annuity rights restored by making
 14 application to the board in writing for the privilege of
 15 reinstating such rights and by compliance with the following
 16 provisions:

17 (a) The employee shall repay in full to the fund
 18 while in service all refunds received, together with
 19 interest at the effective rate from the application date
 20 of such refund or refunds to the date of repayment.

21 (b) If payment is not made in a single sum, the
 22 repayment may be made in installments by deductions from
 23 salary or otherwise in such amounts as the employee may
 24 elect to pay, with interest at the effective rate
 25 accruing on unpaid balances.

26 (c) If the employee withdraws from service or dies
 27 in service before full repayment is made, or during the
 28 required return to service, the amounts repaid, including
 29 interest repaid but without further interest, shall be
 30 refunded in accordance with the refund provisions of this
 31 Article.

32 For an employee who applies to the Fund to reinstate
 33 credit and repay a refund between January 1, 1993 and March

1 1, 1993, the 2 year minimum period of subsequent service
2 required under item (a) shall be instead a period of 6
3 months.

4 A person who establishes service credit under Section
5 9-121.16 may, at the same time, reinstate credit in this Fund
6 and repay a refund without a return to service,
7 notwithstanding the other provisions of this Section.

8 (Source: P.A. 87-1265.)

9 (40 ILCS 5/9-179.3) (from Ch. 108 1/2, par. 9-179.3)

10 Sec. 9-179.3. Optional plan of additional benefits and
11 contributions.

12 (a) While this plan is in effect, an employee may
13 establish additional optional credit for additional optional
14 benefits by electing in writing at any time to make
15 additional optional contributions. The employee may
16 discontinue making the additional optional contributions at
17 any time by notifying the fund in writing.

18 (b) Additional optional contributions for the additional
19 optional benefits shall be as follows:

20 (1) For service after the option is elected, an
21 additional contribution of 3% of salary shall be
22 contributed to the fund on the same basis and under the
23 same conditions as contributions required under Sections
24 9-170 and 9-176.

25 (2) For service before the option is elected, an
26 additional contribution of 3% of the salary for the
27 applicable period of service, plus interest at the
28 effective rate from the date of service to the date of
29 payment. All payments for past service must be paid in
30 full before credit is given. No additional optional
31 contributions may be made for any period of service for
32 which credit has been previously forfeited by acceptance
33 of a refund, unless the refund is repaid in full with

1 interest at the effective rate from the date of refund to
2 the date of repayment.

3 (c) Additional optional benefits shall accrue for all
4 periods of eligible service for which additional
5 contributions are paid in full. The additional benefit shall
6 consist of an additional 1% for each year of service for
7 which optional contributions have been paid, based on the
8 highest average annual salary for any 4 consecutive years
9 within the last 10 years of service immediately preceding the
10 date of withdrawal, to be added to the employee retirement
11 annuity benefits as otherwise computed under this Article.
12 The calculation of these additional benefits shall be subject
13 to the same terms and conditions as are used in the
14 calculation of retirement annuity under Section 9-134. The
15 additional benefit shall be included in the calculation of
16 the automatic annual increase in annuity, and in the
17 calculation of widow's annuity, where applicable. However no
18 additional benefits will be granted which produce a total
19 annuity greater than the applicable maximum established for
20 that type of annuity in this Article, and additional benefits
21 shall not apply to any benefit computed under Section
22 9-128.1.

23 (d) Refunds of additional optional contributions shall
24 be made on the same basis and under the same conditions as
25 provided under Sections 9-164, 9-166 and 9-167. Interest
26 shall be credited at the effective rate on the same basis and
27 under the same conditions as for other contributions.

28 (e) Optional contributions shall be accounted for in a
29 separate Optional Contribution Reserve.

30 (f) The tax levy, computed under Section 9-169, shall be
31 based on employee contributions including the amount of
32 optional additional employee contributions.

33 (g) Service eligible under this Section may include only
34 service as an employee of the County as defined in Section

1 9-108, and subject to Sections 9-219 and 9-220. No service
 2 granted under Section 9-121.1, 9-121.4 or 9-179.2 shall be
 3 eligible for optional service credit. No optional service
 4 credit may be established for any military service, or for
 5 any service under any other Article of this Code. Optional
 6 service credit may be established for any period of
 7 disability paid from this fund, if the employee makes
 8 additional optional contributions for such periods of
 9 disability.

10 (h) This plan of optional benefits and contributions
 11 shall not apply to any former county employee receiving an
 12 annuity from the fund, who re-enters service as a County
 13 employee, unless he renders at least 3 years of additional
 14 service after the date of re-entry.

15 (i) The effective date of the optional plan of
 16 additional benefits and contributions shall be July 1, 1985,
 17 or the date upon which approval is received from the Internal
 18 Revenue Service, whichever is later.

19 (j) This plan of additional benefits and contributions
 20 shall expire July 1, 2005 ~~2002~~. No additional contributions
 21 may be made after that date, and no additional benefits will
 22 accrue after that date.

23 (Source: P.A. 90-32, eff. 6-27-97; 90-460, eff. 8-17-97.)

24 (40 ILCS 5/9-185) (from Ch. 108 1/2, par. 9-185)

25 Sec. 9-185. Board created.

26 (a) A board of 9 7 members shall constitute the board of
 27 trustees authorized to carry out the provisions of this
 28 Article. The board of trustees shall be known as "The
 29 Retirement Board of the County Employees' Annuity and Benefit
 30 Fund of County". The board shall consist of 2 members
 31 appointed and 7 5 members elected as hereinafter prescribed.

32 (b) The appointed members shall be appointed as follows:
 33 One member shall be appointed by the comptroller of such

1 county, who may be the comptroller or some person chosen by
2 him from among employees of the county, who are versed in the
3 affairs of the comptroller's office; and one member shall be
4 appointed by the treasurer of such county, who may be the
5 treasurer or some person chosen by him from among employees
6 of the County who are versed in the affairs of the
7 treasurer's office.

8 The member appointed by the comptroller shall hold office
9 for a term ending on December 1st of the first year following
10 the year of appointment. The member appointed by the county
11 treasurer shall hold office for a term ending on December 1st
12 of the second year following the year of appointment.

13 Thereafter, each appointed member shall be appointed by
14 the officer that appointed his predecessor for a term of 2
15 years.

16 (c) Three county employee members of the board shall be
17 elected as follows: within 30 days from and after the date
18 upon which this Article comes into effect in the county, the
19 clerk of the county shall arrange for and hold an election.
20 One employee shall be elected for a term ending on the first
21 day in the month of December of the first year next following
22 the effective date; one for a term ending on December 1st of
23 the following year; and one for a term ending December 1st of
24 the second following year.

25 (d) Beginning December 1, 1988, and every 3 years
26 thereafter, an annuitant member of the board shall be elected
27 as follows: the board shall arrange for and hold an election
28 in which only those participants who are currently receiving
29 retirement or disability benefits under this Article shall be
30 eligible to vote and be elected. Each such member shall be
31 elected to a term ending on the first day in the month of
32 December of the third following year.

33 (d-1) Beginning December 1, 2001, and every 3 years
34 thereafter, an annuitant member of the board shall be elected

1 as follows: the board shall arrange for and hold an election
2 in which only those participants who are currently receiving
3 retirement or disability benefits under this Article shall be
4 eligible to vote and be elected. Each such member shall be
5 elected to a term ending on the first day in the month of
6 December of the third following year. Until December 1,
7 2001, the position created under this subsection (d-1) may be
8 filled by the board as in the case of a vacancy.

9 (e) Beginning December 1, 1988, if a Forest Preserve
10 District Employees' Annuity and Benefit Fund shall be in
11 force in such county and the board of this fund is charged
12 with administering the affairs of such annuity and benefit
13 fund for employees of such forest preserve district, a forest
14 preserve district member of the board shall be elected as of
15 December 1, 1988, and every 3 years thereafter as follows:
16 the board shall arrange for and hold an election in which
17 only those employees of such forest preserve district who are
18 contributors to the annuity and benefit fund for employees of
19 such forest preserve district shall be eligible to vote and
20 be elected. Each such member shall be elected to a term
21 ending on the first day in the month of December of the third
22 following year.

23 (f) Beginning December 1, 2001, and every 3 years
24 thereafter, if a Forest Preserve District Employees' Annuity
25 and Benefit Fund is in force in the county and the board of
26 this Fund is charged with administering the affairs of that
27 annuity and benefit fund for employees of the forest preserve
28 district, a forest preserve district annuitant member of the
29 board shall be elected as follows: the board shall arrange
30 for and hold an election in which only those participants who
31 are currently receiving retirement benefits under Article 10
32 shall be eligible to vote and be elected. Each such member
33 shall be elected to a term ending on the first day in the
34 month of December of the third following year. Until

1 December 1, 2001, the position created under this subsection
2 (f) may be filled by the board as in the case of a vacancy.
3 (Source: P.A. 85-964; 86-1488.)

4 (40 ILCS 5/9-186) (from Ch. 108 1/2, par. 9-186)
5 Sec. 9-186. Board elections. In each year, the board
6 shall conduct a regular election, under rules adopted by it,
7 at least 30 days prior to the expiration of the term of each
8 elected employee or annuitant member.

9 To be eligible to be a county employee member, a person
10 must be an employee of the county and must have at least 5
11 years of service credit in that capacity by December 1 of the
12 year of election. To be eligible to be a forest preserve
13 district member, a person must be an employee of the forest
14 preserve district and must have at least 5 years of service
15 credit in that capacity by December 1 of the year of
16 election.

17 Only those persons who are employees of the county shall
18 be eligible to vote for the 3 county employee members, only
19 those persons who are employees of the forest preserve
20 district shall be eligible to vote for the forest preserve
21 district member, and only those persons who are currently
22 receiving retirement or disability benefits under this
23 Article shall be eligible to vote for the annuitant members
24 elected under subsections (d) and (d-1) of Section 9-185, and
25 only those persons who are currently receiving retirement
26 benefits under Article 10 shall be eligible to vote for the
27 forest preserve district annuitant member elected under
28 subsection (f) of Section 9-185. The ballot shall be of
29 secret character.

30 Except as otherwise provided in Section 9-187, each
31 member of the board shall hold office until his successor is
32 chosen and has qualified.

33 Any person elected or appointed a member of the board

1 shall qualify for the office by taking an oath of office to
 2 be administered by the county clerk or a person designated by
 3 him. A copy thereof shall be kept in the office of the
 4 county clerk. Any appointment or notice of election shall be
 5 in writing and the written instrument shall be filed with the
 6 oath.

7 (Source: P.A. 85-964; 86-1488.)

8 (40 ILCS 5/9-187) (from Ch. 108 1/2, par. 9-187)
 9 Sec. 9-187. Board vacancy.

10 (a) A vacancy in the membership of the board shall be
 11 filled as follows:

12 If the vacancy is that of an appointive member, the
 13 official who appointed him shall appoint a person to serve
 14 for the unexpired term.

15 If the vacancy is that of a county employee member, the
 16 remaining members of the board shall appoint a successor from
 17 among the employees of the county, who shall serve during the
 18 remainder of the unexpired term.

19 If the vacancy is that of a forest preserve district
 20 member, the remaining members of the board shall appoint a
 21 successor from among the employees of the forest preserve
 22 district, who shall serve during the remainder of the
 23 unexpired term.

24 If the vacancy is that of an annuitant member other than
 25 a forest preserve district annuitant member, the remaining
 26 members of the board shall appoint a successor from among
 27 those persons who are currently receiving retirement or
 28 disability benefits under this Article.

29 If the vacancy is that of a forest preserve district
 30 annuitant member, the remaining members of the board shall
 31 appoint a successor from among those persons who are
 32 currently receiving retirement benefits under Article 10.

33 (b) Any county or forest preserve district member who

1 withdraws from service shall automatically cease to be a
 2 member of the board. Any annuitant member other than a
 3 forest preserve district annuitant member whose retirement or
 4 disability benefits cease under this Article, and any forest
 5 preserve district annuitant member whose retirement benefits
 6 cease under Article 10, shall also automatically cease to be
 7 a member of the Board.

8 (Source: P.A. 85-964; 86-1488.)

9 (40 ILCS 5/9-219) (from Ch. 108 1/2, par. 9-219)
 10 Sec. 9-219. Computation of service.

11 (1) In computing the term of service of an employee
 12 prior to the effective date, the entire period beginning on
 13 the date he was first appointed and ending on the day before
 14 the effective date, except any intervening period during
 15 which he was separated by withdrawal from service, shall be
 16 counted for all purposes of this Article.

17 (2) In computing the term of service of any employee on
 18 or after the effective date, the following periods of time
 19 shall be counted as periods of service for age and service,
 20 widow's and child's annuity purposes:

21 (a) The time during which he performed the duties
 22 of his position.

23 (b) Vacations, leaves of absence with whole or part
 24 pay, and leaves of absence without pay not longer than 90
 25 days.

26 (c) For an employee who is a member of a county
 27 police department or a correctional officer with the
 28 county department of corrections, approved leaves of
 29 absence without pay during which the employee serves as a
 30 full-time officer or employee head of an employee
 31 association, the membership of which consists of other
 32 participants in the Fund police-officers, provided that
 33 the employee contributes to the Fund (1) the amount that

1 he would have contributed had he remained an active
2 employee member--of--the--county--police--department in the
3 position he occupied at the time the leave of absence was
4 granted, (2) an amount calculated by the Board
5 representing employer contributions, and (3) regular
6 interest thereon from the date of service to the date of
7 payment. However, if the employee's application to
8 establish credit under this subsection is received by the
9 Fund on or after January 1, 2002 and before July 1, 2002,
10 the amount representing employer contributions specified
11 in item (2) shall be waived.

12 For a former member of a county police department
13 who has received a refund under Section 9-164, periods
14 during which the employee serves as head of an employee
15 association, the membership of which consists of other
16 police officers, provided that the employee contributes
17 to the Fund (1) the amount that he would have contributed
18 had he remained an active member of the county police
19 department in the position he occupied at the time he
20 left service, (2) an amount calculated by the Board
21 representing employer contributions, and (3) regular
22 interest thereon from the date of service to the date of
23 payment. However, if the former member of the county
24 police department retires on or after January 1, 1993 but
25 no later than March 1, 1993, the amount representing
26 employer contributions specified in item (2) shall be
27 waived.

28 (d) Any period of disability for which he received
29 disability benefit or whole or part pay.

30 (e) Accumulated vacation or other time for which an
31 employee who retires on or after November 1, 1990
32 receives a lump sum payment at the time of retirement,
33 provided that contributions were made to the fund at the
34 time such lump sum payment was received. The service

1 granted for the lump sum payment shall not change the
2 employee's date of withdrawal for computing the effective
3 date of the annuity.

4 (f) An employee may receive service credit for
5 annuity purposes for accumulated sick leave as of the
6 date of the employee's withdrawal from service, not to
7 exceed a total of 180 days, provided that the amount of
8 such accumulated sick leave is certified by the County
9 Comptroller to the Board and the employee pays an amount
10 equal to 8.5% (9% for members of the County Police
11 Department who are eligible to receive an annuity under
12 Section 9-128.1) of the amount that would have been paid
13 had such accumulated sick leave been paid at the
14 employee's final rate of salary. Such payment shall be
15 made within 30 days after the date of withdrawal and
16 prior to receipt of the first annuity check. The service
17 credit granted for such accumulated sick leave shall not
18 change the employee's date of withdrawal for the purpose
19 of computing the effective date of the annuity.

20 (3) In computing the term of service of an employee on
21 or after the effective date for ordinary disability benefit
22 purposes, the following periods of time shall be counted as
23 periods of service:

24 (a) Unless otherwise specified in Section 9-157,
25 the time during which he performed the duties of his
26 position.

27 (b) Paid vacations and leaves of absence with whole
28 or part pay.

29 (c) Any period for which he received duty
30 disability benefit.

31 (d) Any period of disability for which he received
32 whole or part pay.

33 (4) For an employee who on January 1, 1958, was
34 transferred by Act of the 70th General Assembly from his

1 position in a department of welfare of any city located in
2 the county in which this Article is in force and effect to a
3 similar position in a department of such county, service
4 shall also be credited for ordinary disability benefit and
5 child's annuity for such period of department of welfare
6 service during which period he was a contributor to a
7 statutory annuity and benefit fund in such city and for which
8 purposes service credit would otherwise not be credited by
9 virtue of such involuntary transfer.

10 (5) An employee described in subsection (e) of Section
11 9-108 shall receive credit for child's annuity and ordinary
12 disability benefit for the period of time for which he was
13 credited with service in the fund from which he was
14 involuntarily separated through class or group transfer;
15 provided, that no such credit shall be allowed to the extent
16 that it results in a duplication of credits or benefits, and
17 neither shall such credit be allowed to the extent that it
18 was or may be forfeited by the application for and acceptance
19 of a refund from the fund from which the employee was
20 transferred.

21 (6) Overtime or extra service shall not be included in
22 computing service. Not more than 1 year of service shall be
23 allowed for service rendered during any calendar year.

24 (Source: P.A. 86-1488; 87-794; 87-1265.)

25 (40 ILCS 5/11-134) (from Ch. 108 1/2, par. 11-134)
26 Sec. 11-134. Minimum annuities.

27 (a) An employee whose withdrawal occurs after July 1,
28 1957 at age 60 or over, with 20 or more years of service, (as
29 service is defined or computed in Section 11-216), for whom
30 the age and service and prior service annuity combined is
31 less than the amount stated in this Section, shall, from and
32 after the date of withdrawal, in lieu of all annuities
33 otherwise provided in this Article, be entitled to receive an

1 annuity for life of an amount equal to 1 2/3% for each year
2 of service, of the highest average annual salary for any 5
3 consecutive years within the last 10 years of service
4 immediately preceding the date of withdrawal; provided, that
5 in the case of any employee who withdraws on or after July 1,
6 1971, such employee age 60 or over with 20 or more years of
7 service, shall be entitled to instead receive an annuity for
8 life equal to 1.67% for each of the first 10 years of
9 service; 1.90% for each of the next 10 years of service;
10 2.10% for each year of service in excess of 20 but not
11 exceeding 30; and 2.30% for each year of service in excess of
12 30, based on the highest average annual salary for any 4
13 consecutive years within the last 10 years of service
14 immediately preceding the date of withdrawal.

15 An employee who withdraws after July 1, 1957 and before
16 January 1, 1988, with 20 or more years of service, before age
17 60, shall be entitled to an annuity, to begin not earlier
18 than age 55, if under such age at withdrawal, as computed in
19 the last preceding paragraph, reduced 0.25% if the employee
20 was born before January 1, 1936, or 0.5% if the employee was
21 born on or after January 1, 1936, for each full month or
22 fractional part thereof that his attained age when such
23 annuity is to begin is less than 60.

24 Any employee born before January 1, 1936 who withdraws
25 with 20 or more years of service, and any employee with 20 or
26 more years of service who withdraws on or after January 1,
27 1988, may elect to receive, in lieu of any other employee
28 annuity provided in this Section, an annuity for life equal
29 to 1.80% for each of the first 10 years of service, 2.00% for
30 each of the next 10 years of service, 2.20% for each year of
31 service in excess of 20, but not exceeding 30, and 2.40% for
32 each year of service in excess of 30, of the highest average
33 annual salary for any 4 consecutive years within the last 10
34 years of service immediately preceding the date of

1 withdrawal, to begin not earlier than upon attained age of 55
2 years, if under such age at withdrawal, reduced 0.25% for
3 each full month or fractional part thereof that his attained
4 age when annuity is to begin is less than 60; except that an
5 employee retiring on or after January 1, 1988, at age 55 or
6 over but less than age 60, having at least 35 years of
7 service, or an employee retiring on or after July 1, 1990, at
8 age 55 or over but less than age 60, having at least 30 years
9 of service, or an employee retiring on or after the effective
10 date of this amendatory Act of 1997, at age 55 or over but
11 less than age 60, having at least 25 years of service, shall
12 not be subject to the reduction in retirement annuity because
13 of retirement below age 60.

14 However, in the case of an employee who retired on or
15 after January 1, 1985 but before January 1, 1988, at age 55
16 or older and with at least 35 years of service, and who was
17 subject under this subsection (a) to the reduction in
18 retirement annuity because of retirement below age 60, that
19 reduction shall cease to be effective January 1, 1991, and
20 the retirement annuity shall be recalculated accordingly.

21 Any employee who withdraws on or after July 1, 1990, with
22 20 or more years of service, may elect to receive, in lieu of
23 any other employee annuity provided in this Section, an
24 annuity for life equal to 2.20% for each year of service if
25 withdrawal is before 60 days after the effective date of this
26 amendatory Act of the 92nd General Assembly, or 2.40% for
27 each year of service if withdrawal is 60 days after the
28 effective date of this amendatory Act of the 92nd General
29 Assembly or later, of the highest average annual salary for
30 any 4 consecutive years within the last 10 years of service
31 immediately preceding the date of withdrawal, to begin not
32 earlier than upon attained age of 55 years, if under such age
33 at withdrawal, reduced 0.25% for each full month or
34 fractional part thereof that his attained age when annuity is

1 to begin is less than 60; except that an employee retiring at
2 age 55 or over but less than age 60, having at least 30 years
3 of service, shall not be subject to the reduction in
4 retirement annuity because of retirement below age 60.

5 Any employee who withdraws on or after the effective date
6 of this amendatory Act of 1997 with 20 or more years of
7 service may elect to receive, in lieu of any other employee
8 annuity provided in this Section, an annuity for life equal
9 to 2.20%, for each year of service if withdrawal is before 60
10 days after the effective date of this amendatory Act of the
11 92nd General Assembly, or 2.40% for each year of service if
12 withdrawal is 60 days after the effective date of this
13 amendatory Act of the 92nd General Assembly or later, of the
14 highest average annual salary for any 4 consecutive years
15 within the last 10 years of service immediately preceding the
16 date of withdrawal, to begin not earlier than upon attainment
17 of age 55 (age 50 if the employee has at least 30 years of
18 service), reduced 0.25% for each full month or remaining
19 fractional part thereof that the employee's attained age when
20 annuity is to begin is less than 60; except that an employee
21 retiring at age 50 or over with at least 30 years of service
22 or at age 55 or over with at least 25 years of service shall
23 not be subject to the reduction in retirement annuity because
24 of retirement below age 60.

25 The maximum annuity payable under this paragraph (a) of
26 this Section shall not exceed 70% of highest average annual
27 salary in the case of an employee who withdraws prior to July
28 1, 1971, 75% if withdrawal takes place on or after July 1,
29 1971, and prior to 60 days after the effective date of this
30 amendatory Act of the 92nd General Assembly, or 80% if
31 withdrawal is 60 days after the effective date of this
32 amendatory Act of the 92nd General Assembly or later. For the
33 purpose of the minimum annuity provided in said paragraphs
34 \$1,500 shall be considered the minimum annual salary for any

1 year; and the maximum annual salary to be considered for the
2 computation of such annuity shall be \$4,800 for any year
3 prior to 1953, \$6,000 for the years 1953 to 1956, inclusive,
4 and the actual annual salary, as salary is defined in this
5 Article, for any year thereafter.

6 (b) For an employee receiving disability benefit, his
7 salary for annuity purposes under this Section shall, for all
8 periods of disability benefit subsequent to the year 1956, be
9 the amount on which his disability benefit was based.

10 (c) An employee with 20 or more years of service, whose
11 entire disability benefit credit period expires prior to
12 attainment of age 55 while still disabled for service, shall
13 be entitled upon withdrawal to the larger of (1) the minimum
14 annuity provided above assuming that he is then age 55, and
15 reducing such annuity to its actuarial equivalent at his
16 attained age on such date, or (2) the annuity provided from
17 his age and service and prior service annuity credits.

18 (d) The minimum annuity provisions as aforesaid shall
19 not apply to any former employee receiving an annuity from
20 the fund, and who re-enters service as an employee, unless he
21 renders at least 3 years of additional service after the date
22 of re-entry.

23 (e) An employee in service on July 1, 1947, or who
24 became a contributor after July 1, 1947 and prior to July 1,
25 1950, or who shall become a contributor to the fund after
26 July 1, 1950 prior to attainment of age 70, who withdraws
27 after age 65 with less than 20 years of service, for whom the
28 annuity has been fixed under the foregoing Sections of this
29 Article shall, in lieu of the annuity so fixed, receive an
30 annuity as follows:

31 Such amount as he could have received had the accumulated
32 amounts for annuity been improved with interest at the
33 effective rate to the date of his withdrawal, or to
34 attainment of age 70, whichever is earlier, and had the city

1 contributed to such earlier date for age and service annuity
2 the amount that would have been contributed had he been under
3 age 65, after the date his annuity was fixed in accordance
4 with this Article, and assuming his annuity were computed
5 from such accumulations as of his age on such earlier date.
6 The annuity so computed shall not exceed the annuity which
7 would be payable under the other provisions of this Section
8 if the employee was credited with 20 years of service and
9 would qualify for annuity thereunder.

10 (f) In lieu of the annuity provided in this or in any
11 other Section of this Article, an employee having attained
12 age 65 with at least 15 years of service who withdraws from
13 service on or after July 1, 1971 and whose annuity computed
14 under other provisions of this Article is less than the
15 amount provided under this paragraph shall be entitled to
16 receive a minimum annual annuity for life equal to 1% of the
17 highest average annual salary for any 4 consecutive years
18 within the last 10 years of service immediately preceding
19 retirement for each year of his service plus the sum of \$25
20 for each year of service. Such annual annuity shall not
21 exceed the maximum percentages stated under paragraph (a) of
22 this Section of such highest average annual salary.

23 (f-1) Instead of any other retirement annuity provided
24 in this Article, an employee who has at least 10 years of
25 service and withdraws from service on or after January 1,
26 1999 may elect to receive a retirement annuity for life,
27 beginning no earlier than upon attainment of age 60, equal to
28 2.2% if withdrawal is before 60 days after the effective date
29 of this amendatory Act of the 92nd General Assembly or 2.4%
30 for each year of service if withdrawal is 60 days after the
31 effective date of this amendatory Act of the 92nd General
32 Assembly or later, of final average salary for each year of
33 service, subject to a maximum of 75% of final average salary
34 if withdrawal is before 60 days after the effective date of

1 this amendatory Act of the 92nd General Assembly, or 80% if
2 withdrawal is 60 days after the effective date of this
3 amendatory Act of the 92nd General Assembly or later. For the
4 purpose of calculating this annuity, "final average salary"
5 means the highest average annual salary for any 4 consecutive
6 years in the last 10 years of service.

7 (g) Any annuity payable under the preceding subsections
8 of this Section 11-134 shall be paid in equal monthly
9 installments.

10 (h) The amendatory provisions of part (a) and (f) of
11 this Section shall be effective July 1, 1971 and apply in the
12 case of every qualifying employee withdrawing on or after
13 July 1, 1971.

14 (i) The amendatory provisions of this amendatory Act of
15 1985 relating to the discount of annuity because of
16 retirement prior to attainment of age 60 and increasing the
17 retirement formula for those born before January 1, 1936,
18 shall apply only to qualifying employees withdrawing on or
19 after August 16, 1985.

20 (j) Beginning on January 1, 1999, the minimum amount of
21 employee's annuity shall be \$850 per month for life for the
22 following classes of employees, without regard to the fact
23 that withdrawal occurred prior to the effective date of this
24 amendatory Act of 1998:

25 (1) any employee annuitant alive and receiving a
26 life annuity on the effective date of this amendatory Act
27 of 1998, except a reciprocal annuity;

28 (2) any employee annuitant alive and receiving a
29 term annuity on the effective date of this amendatory Act
30 of 1998, except a reciprocal annuity;

31 (3) any employee annuitant alive and receiving a
32 reciprocal annuity on the effective date of this
33 amendatory Act of 1998, whose service in this fund is at
34 least 5 years;

1 (4) any employee annuitant withdrawing after age 60
2 on or after the effective date of this amendatory Act of
3 1998, with at least 10 years of service in this fund.

4 The increases granted under items (1), (2) and (3) of
5 this subsection (j) shall not be limited by any other Section
6 of this Act.

7 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
8 90-766, eff. 8-14-98.)

9 (40 ILCS 5/11-134.1) (from Ch. 108 1/2, par. 11-134.1)
10 Sec. 11-134.1. Automatic increase in annuity.

11 (a) An employee who retired or retires from service
12 after December 31, 1963, and before January 1, 1987, having
13 attained age 60 or more, shall, in the month of January of
14 the year following the year in which the first anniversary of
15 retirement occurs, have the amount of his then fixed and
16 payable monthly annuity increased by 1 1/2%, and such first
17 fixed annuity as granted at retirement increased by a further
18 1 1/2% in January of each year thereafter. Beginning with
19 January of the year 1972, such increases shall be at the rate
20 of 2% in lieu of the aforesaid specified 1 1/2%. Beginning
21 January, 1984, such increases shall be at the rate of 3%.
22 Beginning in January of 1999, such increases shall be at the
23 rate of 3% of the currently payable monthly annuity,
24 including any increases previously granted under this
25 Article. An employee who retires on annuity after December
26 31, 1963 and before January 1, 1987, but prior to age 60,
27 shall receive such increases beginning with January of the
28 year immediately following the year in which he attains the
29 age of 60 years.

30 An employee who retires from service on or after January
31 1, 1987 shall, upon the first annuity payment date following
32 the first anniversary of the date of retirement, or upon the
33 first annuity payment date following attainment of age 60,

1 whichever occurs later, have his then fixed and payable
 2 monthly annuity increased by 3%, and such annuity shall be
 3 increased by an additional 3% of the original fixed annuity
 4 on the same date each year thereafter. Beginning in January
 5 of 1999, such increases shall be at the rate of 3% of the
 6 currently payable monthly annuity, including any increases
 7 previously granted under this Article.

8 (a-5) Notwithstanding the provisions of subsection (a),
 9 upon the first annuity payment date following (1) the third
 10 anniversary of retirement, (2) the attainment of age 53, or
 11 (3) the date 60 days after the effective date of this
 12 amendatory Act of the 92nd General Assembly, whichever occurs
 13 latest, the monthly pension of an employee who retires on
 14 annuity prior to the attainment of age 60 who has not
 15 received an increase under subsection (a) shall be increased
 16 by 3%, and such annuity shall be increased by an additional
 17 3% of the current payable monthly annuity, including such
 18 increases previously granted under this Article, on the same
 19 date each year thereafter. The increases provided under this
 20 subsection are in lieu of the increases provided in
 21 subsection (a).

22 (b) The foregoing provision is not applicable to an
 23 employee retiring and receiving a term annuity, as defined in
 24 this Article, nor to any otherwise qualified employee who
 25 retires before he shall have made employee contributions (at
 26 the 1/2 of 1% rate as hereinafter provided) for the purposes
 27 of this additional annuity for not less than the equivalent
 28 of one full year. Such employee, however, shall make
 29 arrangement to pay to the fund a balance of such 1/2 of 1%
 30 contributions, based on his final salary, as will bring such
 31 1/2 of 1% contributions, computed without interest, to the
 32 equivalent of or completion of one year's contributions.

33 Beginning with the month of January, 1964, each employee
 34 shall contribute by means of salary deductions 1/2 of 1% of

1 each salary payment, concurrently with and in addition to the
2 employee contributions otherwise made for annuity purposes.

3 Each such additional employee contribution shall be
4 credited to an account in the prior service annuity reserve,
5 to be used, together with city contributions, to defray the
6 cost of the specified annuity increments. Any balance as of
7 the beginning of each calendar year existing in such account
8 shall be credited with interest at the rate of 3% per annum.

9 Such employee contributions shall not be subject to
10 refund, except to an employee who resigns or is discharged
11 and applies for refund under this Article, and also in cases
12 where a term annuity becomes payable.

13 In such cases the employee contributions shall be
14 refunded him, without interest, and charged to the
15 aforementioned account in the prior service annuity reserve.

16 (Source: P.A. 90-766, eff. 8-14-98.)

17 (40 ILCS 5/11-145.1) (from Ch. 108 1/2, par. 11-145.1)

18 Sec. 11-145.1. Minimum annuities for widows.

19 The widow otherwise eligible for widow's annuity under
20 other Sections of this Article 11, of an employee hereinafter
21 described, who retires from service or dies while in the
22 service subsequent to the effective date of this amendatory
23 provision, and for which widow the amount of widow's annuity
24 and widow's prior service annuity combined, fixed or provided
25 for such widow under other provisions of said Article 11 is
26 less than the amount hereinafter provided in this section,
27 shall, from and after the date her otherwise provided annuity
28 would begin, in lieu of such otherwise provided widow's and
29 widow's prior service annuity, be entitled to the following
30 indicated amount of annuity:

31 (a) The widow of any employee who dies while in service
32 on or after the date on which he attains age 60 if the death
33 occurs before July 1, 1990, or on or after the date on which

1 he attains age 55 if the death occurs on or after July 1,
2 1990, with at least 20 years of service, or on or after the
3 date on which he attains age 50 if the death occurs on or
4 after the effective date of this amendatory Act of 1997 with
5 at least 30 years of service, shall be entitled to an annuity
6 equal to one-half of the amount of annuity which her deceased
7 husband would have been entitled to receive had he withdrawn
8 from the service on the day immediately preceding the date of
9 his death, conditional upon such widow having attained age 60
10 on or before such date if the death occurs before July 1,
11 1990, or age 55 if the death occurs on or after July 1, 1990,
12 or age 50 if the death occurs on or after January 1, 1998 and
13 the employee is age 50 or over with at least 30 years of
14 service or age 55 or over with at least 25 years of service.
15 Except as provided in subsection (j), the widow's annuity
16 shall not, however, exceed the sum of \$500 a month if the
17 employee's death in service occurs before January 23, 1987.
18 The widow's annuity shall not be limited to a maximum dollar
19 amount if the employee's death in service occurs on or after
20 January 23, 1987.

21 If the employee dies in service before July 1, 1990, and
22 if such widow of such described employee shall not be 60 or
23 more years of age on such date of death, the amount provided
24 in the immediately preceding paragraph for a widow 60 or more
25 years of age, shall, in the case of such younger widow, be
26 reduced by 0.25% for each month that her then attained age is
27 less than 60 years if the employee was born before January 1,
28 1936, or dies in service on or after January 1, 1988, or 0.5%
29 for each month that her then attained age is less than 60
30 years if the employee was born on or after January 1, 1936
31 and dies in service before January 1, 1988.

32 If the employee dies in service on or after July 1, 1990,
33 and if the widow of the employee has not attained age 55 on
34 or before the employee's date of death, the amount otherwise

1 provided in this subsection (a) shall be reduced by 0.25% for
2 each month that her then attained age is less than 55 years;
3 except that if the employee dies in service on or after
4 January 1, 1998 at age 50 or over with at least 30 years of
5 service or at age 55 or over with at least 25 years of
6 service, there shall be no reduction due to the widow's age
7 if she has attained age 50 on or before the employee's date
8 of death, and if the widow has not attained age 50 on or
9 before the employee's date of death the amount otherwise
10 provided in this subsection (a) shall be reduced by 0.25% for
11 each month that her then attained age is less than 50 years.

12 (b) The widow of any employee who dies subsequent to the
13 date of his retirement on annuity, and who so retired on or
14 after the date on which he attained age 60 if retirement
15 occurs before July 1, 1990, or on or after the date on which
16 he attained age 55 if retirement occurs on or after July 1,
17 1990, with at least 20 years of service, or on or after the
18 date on which he attained age 50 if the retirement occurs on
19 or after the effective date of this amendatory Act of 1997
20 with at least 30 years of service, shall be entitled to an
21 annuity equal to one-half of the amount of annuity which her
22 deceased husband received as of the date of his retirement on
23 annuity, conditional upon such widow having attained age 60
24 on or before the date of her husband's retirement on annuity
25 if retirement occurs before July 1, 1990, or age 55 if
26 retirement occurs on or after July 1, 1990, or age 50 if the
27 retirement on annuity occurs on or after January 1, 1998 and
28 the employee is age 50 or over with at least 30 years of
29 service or age 55 or over with at least 25 years of service.
30 Except as provided in subsection (j), this widow's annuity
31 shall not, however, exceed the sum of \$500 a month if the
32 employee's death occurs before January 23, 1987. The widow's
33 annuity shall not be limited to a maximum dollar amount if
34 the employee's death occurs on or after January 23, 1987,

1 regardless of the date of retirement; provided that, if
2 retirement was before January 23, 1987, the employee or
3 eligible spouse repays the excess spouse refund with interest
4 at the effective rate from the date of refund to the date of
5 repayment.

6 If the date of the employee's retirement on annuity is
7 before July 1, 1990, and if such widow of such described
8 employee shall not have attained such age of 60 or more years
9 on such date of her husband's retirement on annuity, the
10 amount provided in the immediately preceding paragraph for a
11 widow 60 or more years of age on the date of her husband's
12 retirement on annuity, shall, in the case of such then
13 younger widow, be reduced by 0.25% for each month that her
14 then attained age was less than 60 years if the employee was
15 born before January 1, 1936, or withdraws from service on or
16 after January 1, 1988, or 0.5% for each month that her then
17 attained age was less than 60 years if the employee was born
18 on or after January 1, 1936 and withdraws from service before
19 January 1, 1988.

20 If the date of the employee's retirement on annuity is on
21 or after July 1, 1990, and if the widow of the employee has
22 not attained age 55 by the date of the employee's retirement
23 on annuity, the amount otherwise provided in this subsection
24 (b) shall be reduced by 0.25% for each month that her then
25 attained age is less than 55 years; except that if the
26 employee retires on annuity on or after January 1, 1998 at
27 age 50 or over with at least 30 years of service or at age 55
28 or over with at least 25 years of service, there shall be no
29 reduction due to the widow's age if she has attained age 50
30 on or before the employee's date of death, and if the widow
31 has not attained age 50 on or before the employee's date of
32 death the amount otherwise provided in this subsection (b)
33 shall be reduced by 0.25% for each month that her then
34 attained age is less than 50 years.

1 (c) The foregoing provisions relating to minimum
2 annuities for widows shall not apply to the widow of any
3 former employee receiving an annuity from the fund on August
4 2, 1965 or on the effective date of this amendatory
5 provision, who re-enters service as a former employee, unless
6 such employee renders at least 3 years of additional service
7 after the date of re-entry.

8 (d) (Blank).

9 (e) (Blank).

10 (f) The amendments to this Section by this amendatory
11 Act of 1985, relating to changing the discount because of age
12 from 1/2 of 1% to 0.25% per month for widows of employees
13 born before January 1, 1936, shall apply only to qualifying
14 widows whose husbands die while in the service on or after
15 August 16, 1985 or withdraw and enter on annuity on or after
16 August 16, 1985.

17 (g) Beginning on January 1, 1999, the minimum amount of
18 widow's annuity shall be \$800 per month for life for the
19 following classes of widows, without regard to the fact that
20 the death of the employee occurred prior to the effective
21 date of this amendatory Act of 1998:

22 (1) any widow annuitant alive and receiving a term
23 annuity on the effective date of this amendatory Act of
24 1998, except a reciprocal annuity;

25 (2) any widow annuitant alive and receiving a life
26 annuity on the effective date of this amendatory Act of
27 1998, except a reciprocal annuity;

28 (3) any widow annuitant alive and receiving a
29 reciprocal annuity on the effective date of this
30 amendatory Act of 1998, whose employee spouse's service
31 in this fund was at least 5 years;

32 (4) the widow of an employee with at least 10 years
33 of service in this fund who dies after retirement, if the
34 retirement occurred prior to the effective date of this

1 amendatory Act of 1998;

2 (5) the widow of an employee with at least 10 years
3 of service in this fund who dies after retirement, if
4 withdrawal occurs on or after the effective date of this
5 amendatory Act of 1998;

6 (6) the widow of an employee who dies in service
7 with at least 5 years of service in this fund, if the
8 death in service occurs on or after the effective date of
9 this amendatory Act of 1998.

10 The increases granted under items (1), (2), (3) and (4)
11 of this subsection (g) shall not be limited by any other
12 Section of this Act.

13 (h) The widow of an employee who retired or died in
14 service on or after January 1, 1985 and before July 1, 1990,
15 at age 55 or older, and with at least 35 years of service
16 credit, shall be entitled to have her widow's annuity
17 increased, effective January 1, 1991, to an amount equal to
18 50% of the retirement annuity that the deceased employee
19 received on the date of retirement, or would have been
20 eligible to receive if he had retired on the day preceding
21 the date of his death in service, provided that if the widow
22 had not attained age 60 by the date of the employee's
23 retirement or death in service, the amount of the annuity
24 shall be reduced by 0.25% for each month that her then
25 attained age was less than age 60 if the employee's
26 retirement or death in service occurred on or after January
27 1, 1988, or by 0.5% for each month that her attained age is
28 less than age 60 if the employee's retirement or death in
29 service occurred prior to January 1, 1988. However, in cases
30 where a refund of excess contributions for widow's annuity
31 has been paid by the Fund, the increase in benefit provided
32 by this subsection (h) shall be contingent upon repayment of
33 the refund to the Fund with interest at the effective rate
34 from the date of refund to the date of payment.

1 (i) If a deceased employee is receiving a retirement
2 annuity at the time of death and that death occurs on or
3 after June 27, 1997, the widow may elect to receive, in lieu
4 of any other annuity provided under this Article, 50% of the
5 deceased employee's retirement annuity at the time of death
6 reduced by 0.25% for each month that the widow's age on the
7 date of death is less than 55; except that if the employee
8 dies on or after January 1, 1998 and withdrew from service on
9 or after June 27, 1997 at age 50 or over with at least 30
10 years of service or at age 55 or over with at least 25 years
11 of service, there shall be no reduction due to the widow's
12 age if she has attained age 50 on or before the employee's
13 date of death, and if the widow has not attained age 50 on or
14 before the employee's date of death the amount otherwise
15 provided in this subsection (i) shall be reduced by 0.25% for
16 each month that her age on the date of death is less than 50
17 years. However, in cases where a refund of excess
18 contributions for widow's annuity has been paid by the Fund,
19 the benefit provided by this subsection (i) is contingent
20 upon repayment of the refund to the Fund with interest at the
21 effective rate from the date of refund to the date of
22 payment.

23 (j) For widows of employees who died before January 23,
24 1987 after retirement on annuity or in service, the maximum
25 dollar amount limitation on widow's annuity shall cease to
26 apply, beginning with the first annuity payment after the
27 effective date of this amendatory Act of 1997; except that if
28 a refund of excess contributions for widow's annuity has been
29 paid by the Fund, the increase resulting from this subsection
30 (j) shall not begin before the refund has been repaid to the
31 Fund, together with interest at the effective rate from the
32 date of the refund to the date of repayment.

33 (k) In lieu of any other annuity provided in this
34 Article, an eligible spouse of an employee who dies in

1 service at least 60 days after the effective date of this
2 amendatory Act of the 92nd General Assembly with at least 10
3 years of service shall be entitled to an annuity of 50% of
4 the minimum formula annuity earned and accrued to the credit
5 of the employee at the date of death. For the purposes of
6 this subsection, the minimum formula annuity earned and
7 accrued to the credit of the employee is equal to 2.40% for
8 each year of service of the highest average annual salary for
9 any 4 consecutive years within the last 10 years of service
10 immediately preceding the date of death, up to a maximum of
11 80% of the highest average annual salary. This annuity shall
12 not be reduced due to the age of the employee or spouse. In
13 addition to any other eligibility requirements under this
14 Article, the spouse is eligible for this annuity only if the
15 marriage was in effect for 10 full years or more.

16 (Source: P.A. 90-32, eff. 6-27-97; 90-511, eff. 8-22-97;
17 90-766, eff. 8-14-98.)

18 (40 ILCS 5/11-153) (from Ch. 108 1/2, par. 11-153)
19 Sec. 11-153. Child's annuity.

20 (a) A "Child's Annuity" shall be payable monthly after
21 the death of an employee parent to an unmarried child until
22 the child's attainment of age 18 or marriage, whichever event
23 shall first occur, under the following conditions, if the
24 child was born or in esse before the employee attained age
25 65, and before he withdrew from service:

26 (1) ~~upon death resulting from injury incurred in~~
27 ~~the performance of an act of duty;~~

28 {2} upon death in service from any cause other than
29 injury incurred in the performance of duty, if the
30 employee has at least 4 years of service after the date
31 of his original entry into service, and at least 2 years
32 after the date of his latest re-entry;

33 (2){3} upon death of an employee who withdraws from

1 service after age 55 (or after age 50 with at least 30
2 years of service if withdrawal is on or after June 27,
3 1997) and who has entered upon or is eligible for
4 annuity.

5 Payment shall be made as provided in Section 11-124.

6 (b) After July 24, 1967, an adopted child shall be
7 entitled to the same child's annuity benefits provided for
8 natural children in this Article, if:

9 (1) the child was legally adopted by the employee
10 at least one year prior to the death of the employee; and

11 (2) the child was adopted before the employee
12 withdrew from service attained-age-55.

13 (Source: P.A. 90-31, eff. 6-27-97; 90-766, eff. 8-14-98.)

14 (40 ILCS 5/11-156) (from Ch. 108 1/2, par. 11-156)

15 Sec. 11-156. Ordinary disability benefit. An employee,
16 while under age 65 and prior to January 1, 1979, or while
17 under age 70 and after January 1, 1979, who becomes disabled
18 after the effective date as the result of any cause other
19 than injury incurred in the performance of any act or acts of
20 duty, shall be entitled to ordinary disability benefit during
21 such disability, after the first 30 days thereof.

22 The disability benefit prescribed herein shall cease when
23 the first of the following dates shall occur and the
24 employee, if still disabled, shall thereafter be entitled to
25 such annuity as is otherwise provided in this Article:

26 (a) the date disability ceases.

27 (b) the date the disabled employee attains age 65 for
28 disability commencing prior to January 1, 1979.

29 (c) the date the disabled employee attains 65 for
30 disability commencing prior to attainment of age 60 in the
31 service and after January 1, 1979.

32 (d) the date the disabled employee attains the age of 70
33 for disability commencing after attainment of age 60 in the

1 service and after January 1, 1979.

2 (e) the date the payments of the benefit shall exceed in
3 the aggregate, throughout the employee's service, a period
4 equal to 1/4 of the total service rendered prior to the date
5 of disability but in no event more than 5 years. In computing
6 such total the following periods shall be excluded:

7 (i) Any period during which the employee received
8 ordinary disability benefit;

9 (ii) Any period of absence from duty, whether caused by
10 layoff, leave of absence or suspension of employment, or any
11 other reason, unless the board, upon satisfactory evidence,
12 finds that the disability resulted from a cause which existed
13 or occurred prior to such period of absence. No employee who
14 becomes disabled and whose disability begins during absence
15 from duty (other than while on vacation with pay) shall have
16 any right to ordinary disability benefit, except as herein
17 provided, until he recovers from such disability and performs
18 the duties of his position in the service for at least 15
19 consecutive days, Sundays and holidays excepted, after such
20 recovery.

21 The first payment shall be made not later than one month
22 after the benefit is granted and each subsequent payment
23 shall be made not later than one month after the last
24 preceding payment.

25 Ordinary disability benefit shall be 50% of the
26 employee's salary at the date of disability.

27 For ordinary disability benefits paid before January 1,
28 2001, before any payment, an amount equal to,~~less~~ the sum
29 ordinarily deducted from salary for all annuity purposes for
30 such period for which the ordinary disability benefit is made
31 shall be deducted from such payment and credited to the
32 employee as a deduction from salary for that period. The
33 sums so deducted ~~shall be credited to the employee and~~ shall
34 be regarded, for annuity and refund purposes, as an amount

1 contributed by him.

2 For ordinary disability benefits paid on or after January
3 1, 2001, the fund shall credit sums equal to the amounts
4 ordinarily contributed by an employee for annuity purposes
5 for any period during which the employee receives ordinary
6 disability, and those sums shall be deemed for annuity
7 purposes and purposes of Section 11-169 as amounts
8 contributed by the employee. These amounts credited for
9 annuity purposes shall not be credited for refund purposes.

10 Any employee whose ordinary disability benefit was
11 terminated after January 1, 1979 by reason of his attainment
12 of age 65 and who continues disabled after age 65 may elect
13 before July 1, 1986 to have such benefits resumed beginning
14 at the time of such termination and continuing until
15 termination is required under this Section as amended by this
16 amendatory Act of 1985. The amount payable to any employee
17 for such resumed benefit for any period shall be reduced by
18 the amount of any retirement annuity paid to such employee
19 under this Article for the same period of time or by refund
20 paid in lieu of annuity.

21 (Source: P.A. 85-964.)

22 (40 ILCS 5/11-164) (from Ch. 108 1/2, par. 11-164)
23 Sec. 11-164. Refunds - Withdrawal before age 55 or with
24 less than 10 years of service.

25 (1) An employee, without regard to length of service,
26 who withdraws before age 55, and any employee with less than
27 10 years of service who withdraws before age 60, shall be
28 entitled to a refund of the total sum accumulated to his
29 credit as of date of withdrawal for age and service annuity
30 and widow's annuity from amounts contributed by him or by the
31 City in lieu of employee contributions during duty
32 disability; provided that such amounts contributed by the
33 city after December 31, 1983 while the employee is receiving

1 duty disability benefits and amounts credited to the employee
2 for annuity purposes by the fund after December 31, 2000
3 while the employee is receiving ordinary disability benefits
4 shall not be credited for refund purposes.

5 The board may in its discretion withhold payment of
6 refund for a period not to exceed 6 months from the date of
7 withdrawal. Interest at the effective rate shall be paid on
8 any such refund withheld during such withheld period not to
9 exceed 6 months.

10 (2) Upon receipt of the refund, the employee surrenders
11 and forfeits all rights to any annuity or other benefits, for
12 himself and for any other persons who might have benefited
13 through him; provided that he may have such period of service
14 counted in computing the term of his service for age and
15 service annuity purposes only if he becomes an employee
16 before age 65.

17 (3) An employee who does not receive a refund shall have
18 all amounts to his credit for annuity purposes on the date of
19 his withdrawal improved by interest only until he becomes age
20 65, while out of service, at the effective rate, for his
21 benefit and the benefit of any person who may have any right
22 to annuity through him if he re-enters the service and
23 attains a right to annuity.

24 (4) Any such employee shall retain such right to refund
25 of such amounts when he shall apply for same, until he
26 re-enters the service or until the amount of annuity to which
27 he shall have a right shall have been fixed as provided in
28 this Article. Thereafter, no such right shall exist in the
29 case of any such employee.

30 (Source: P.A. 83-499.)

31 (40 ILCS 5/11-167) (from Ch. 108 1/2, par. 11-167)
32 Sec. 11-167. Refunds in lieu of annuity. In lieu of an
33 annuity, an employee who withdraws, and whose annuity would

1 amount to less than \$800 a month for life may elect to
2 receive a refund of the total sum accumulated to his credit
3 from employee contributions for annuity purposes.

4 The widow of any employee, eligible for annuity upon the
5 death of her husband, whose annuity would amount to less than
6 \$800 a month for life, may, in lieu of a widow's annuity,
7 elect to receive a refund of the accumulated contributions
8 for annuity purposes, based on the amounts contributed by her
9 deceased employee husband, but reduced by any amounts
10 theretofore paid to him in the form of an annuity or refund
11 out of such accumulated contributions.

12 Accumulated contributions shall mean the amounts
13 including interest credited thereon contributed by the
14 employee for age and service and widow's annuity to the date
15 of his withdrawal or death, whichever first occurs, and
16 including the accumulations from any amounts contributed for
17 him as salary deductions while receiving duty disability
18 benefits; provided that such amounts contributed by the city
19 after December 31, 1983 while the employee is receiving duty
20 disability benefits and amounts credited to the employee for
21 annuity purposes by the fund after December 31, 2000 while
22 the employee is receiving ordinary disability benefits.

23 The acceptance of such refund in lieu of widow's annuity,
24 on the part of a widow, shall not deprive a child or children
25 of the right to receive a child's annuity as provided for in
26 Sections 11-153 and 11-154 of this Article, and neither shall
27 the payment of a child's annuity in the case of such refund
28 to a widow reduce the amount herein set forth as refundable
29 to such widow electing a refund in lieu of widow's annuity.

30 (Source: P.A. 90-655, eff. 7-30-98; 91-887, eff. 7-6-00.)

31 (40 ILCS 5/14-105.7)

32 Sec. 14-105.7. Transfer to Article 9 fund.

33 (a) Until July 1, 2002 1998, any active or inactive

1 member of the System who has established creditable service
 2 under paragraph (i) of Section 14-104 (relating to
 3 contractual service to the General Assembly) and is an active
 4 or former contributor to the pension fund established under
 5 Article 9 of this Code may apply to the Board for transfer of
 6 all of his or her creditable service accumulated under this
 7 System to the Article 9 fund. The creditable service shall
 8 be transferred forthwith. Payment by this System to the
 9 Article 9 fund shall be made at the same time and shall
 10 consist of:

- 11 (1) the amounts accumulated to the credit of the
- 12 applicant for that service, including regular interest,
- 13 on the books of the System on the date of transfer; plus
- 14 (2) employer contributions in an amount equal to
- 15 the amount determined under item (1).

16 Participation in this System as to the credits transferred
 17 under this Section terminates on the date of transfer.

18 (b) Any person transferring credit under this Section
 19 may reinstate credits and creditable service terminated upon
 20 receipt of a refund, by paying to the System, before July 1,
 21 2002 ~~1998~~, the amount of the refund plus regular interest
 22 from the date of refund to the date of payment.

23 (c) The changes to this Section and Section 9-121.15
 24 made by this amendatory Act of the 92nd General Assembly
 25 apply without regard to whether the person is in active
 26 service, under this System or the Article 9 Fund, on or after
 27 the effective date of this amendatory Act.

28 (Source: P.A. 90-511, eff. 8-22-97.)

29 Section 90. The State Mandates Act is amended by adding
 30 Section 8.25 as follows:

31 (30 ILCS 805/8.25 new)

32 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6

1 and 8 of this Act, no reimbursement by the State is required
2 for the implementation of any mandate created by this
3 amendatory Act of the 92nd General Assembly.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.

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INDEX

Statutes amended in order of appearance

- 40 ILCS 5/8-110 from Ch. 108 1/2, par. 8-110
- 40 ILCS 5/8-113 from Ch. 108 1/2, par. 8-113
- 40 ILCS 5/8-120 from Ch. 108 1/2, par. 8-120
- 40 ILCS 5/8-137 from Ch. 108 1/2, par. 8-137
- 40 ILCS 5/8-138 from Ch. 108 1/2, par. 8-138
- 40 ILCS 5/8-150.1 from Ch. 108 1/2, par. 8-150.1
- 40 ILCS 5/8-158 from Ch. 108 1/2, par. 8-158
- 40 ILCS 5/8-161 from Ch. 108 1/2, par. 8-161
- 40 ILCS 5/8-168 from Ch. 108 1/2, par. 8-168
- 40 ILCS 5/8-171 from Ch. 108 1/2, par. 8-171
- 40 ILCS 5/8-230.7
- 40 ILCS 5/8-230.9 new
- 40 ILCS 5/8-230.10 new
- 40 ILCS 5/9-121.14 new
- 40 ILCS 5/9-121.15
- 40 ILCS 5/9-121.16 new
- 40 ILCS 5/9-134 from Ch. 108 1/2, par. 9-134
- 40 ILCS 5/9-134.3
- 40 ILCS 5/9-134.4 new
- 40 ILCS 5/9-163 from Ch. 108 1/2, par. 9-163
- 40 ILCS 5/9-179.3 from Ch. 108 1/2, par. 9-179.3
- 40 ILCS 5/9-185 from Ch. 108 1/2, par. 9-185
- 40 ILCS 5/9-186 from Ch. 108 1/2, par. 9-186
- 40 ILCS 5/9-187 from Ch. 108 1/2, par. 9-187
- 40 ILCS 5/9-219 from Ch. 108 1/2, par. 9-219
- 40 ILCS 5/11-134 from Ch. 108 1/2, par. 11-134
- 40 ILCS 5/11-134.1 from Ch. 108 1/2, par. 11-134.1
- 40 ILCS 5/11-145.1 from Ch. 108 1/2, par. 11-145.1
- 40 ILCS 5/11-153 from Ch. 108 1/2, par. 11-153
- 40 ILCS 5/11-156 from Ch. 108 1/2, par. 11-156
- 40 ILCS 5/11-164 from Ch. 108 1/2, par. 11-164
- 40 ILCS 5/11-167 from Ch. 108 1/2, par. 11-167

1 40 ILCS 5/14-105.7

2 30 ILCS 805/8.25 new